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SPRING 1979

What's Inside:

In this the third edition of **Cuesta** we have attempted to bring our readers up to date on the Niagara Escarpment Commission's activities since the release and distribution last year of the Preliminary Proposals and to report on the latest developments of the Commission's Proposed Plan to maintain the Niagara Escarpment substantially as a continuous natural environment.

For those readers not familiar with the 22 discussion papers which made up the Preliminary Proposals, **Cuesta** has briefly highlighted them and, in another article, reports on a sampling of some of the briefs and submissions made to the Commission from various Escarpment area interest groups.

Cuesta also posed a list of some of the most frequently asked questions regarding the Commission's past and present activities to Donald F. Taylor, the Commission's senior planner.

What will be of interest to most of our readers is the centre-page map of the new 2,100-square-kilometre

(approximately 800 square mile) envelope area within which the Proposed Plan (section 10, the Niagara Escarpment Planning and Development Act) is being prepared. It should be noted, however, that this new envelope area may be subject to further minor revisions before the Proposed Plan goes to press in the near future.

In addition to several Escarpment related articles, **Cuesta** also outlines the seldom-publicized work of the Nature Conservancy of Canada which has assisted in the purchase of over 1,600 hectares (some 4,000 acres) of scenic, natural-area Escarpment properties.

Cuesta has attempted to focus on what the Escarpment is — a Provincial resource; to highlight environmentally sensitive land of prime interest to the Commission; and to outline the myriad of divergent views and opinions on how the Escarpment should be preserved.

Read on.

David Cossette
Editor

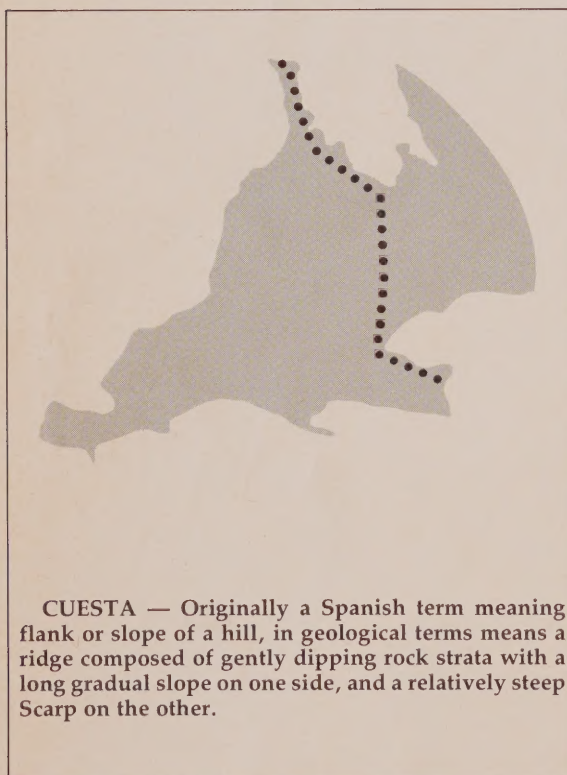
NIAGARA ESCARPMENT COMMISSION STAFF MEMBERS

Executive Director	Gerald Coffin
Manager Plans Preparation	Donald Taylor
Manager Development Control	Keith Jordan
Manager Budget Control and Personnel	Susan Herrold
Manager Supply and Services	Vern Rankin
Chief Information Officer and Editor of <i>Cuesta</i>	David Cossette
Executive Secretary	Walter Gowing
Advisory Committees	
Senior Cartographer	Bob Pepper

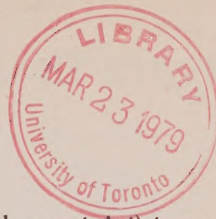
Photo Credits

- Front cover: Escarpment face near Cyprus Lake Provincial Park, Bruce County, by Cora Barwell.
- Back cover: A carpet of trilliums near Limehouse, by Cora Barwell.

All others by NEC staff, except as noted.



FROM THE CHAIRMAN:



Early last year, the Niagara Escarpment Commission released its first draft of an Escarpment plan and called it the Preliminary Proposals.

The Proposals consisted of 22 discussion papers designed as a starting point to encourage input from the 55 municipalities in the Niagara Escarpment Planning Area, various Provincial Government agencies and the general public.

The Niagara Escarpment Planning and Development Act, which established the Commission, did not require that it draft and distribute such a document as the Preliminary Proposals.

However, as a Commission, we believed that it was necessary to produce the Preliminary Proposals to give everyone a chance to consider, study and comment on the multitude of complex issues involved in planning for the maintenance of such a significant provincial resource as the 725-kilometre-long (450 mile) Niagara Escarpment.

After the Preliminary Proposals were distributed, the Commission held more than 100 meetings with municipal councils, interest groups, Provincial Government agencies, and the general public to discuss the proposals. As a result, the Commission received more than 160 detailed written submissions in addition to several hundred letters from interested citizens.

Escarpment preservation is many things.

It is environmental, social, economic, historical, scientific, political and emotional.

The input we received reflected all of these elements — and others.

While most agreed that the Escarpment should be preserved, there was considerable disagreement on just how it should be done.

One of the difficulties in trying to preserve a "natural environment" is to reach agreement on how much land on either side of the actual Escarpment face should be included in some sort of "protective envelope."

A major criticism of the Preliminary Proposals was that the 5,200-square-kilometre (2,000-square-mile) Planning Area, assigned to the Commission by the Province in 1974, was too large.

We, as a Commission, listened to this almost unanimous concern and concluded that, given the co-operation of the Escarpment area municipalities and Provincial Government agencies, an effective, reasonable and viable plan could still be developed for a reduced area without sacrificing the goal of Escarpment protection.

Proposed Plan

The Province accepted the Commission's recommendation that the area to be planned should be reduced. As a result, the Commission is preparing a Proposed Plan (section 10, the Niagara Escarpment

Planning and Development Act) to cover approximately 2,100 square kilometres (some 800 square miles) — or 202,300 hectares (some half a million acres) of environmentally sensitive Escarpment land in 46 municipalities.

It is virtually impossible to reconcile all divergent viewpoints, opinions and attitudes with the goals and objectives given to the Commission in the Niagara Escarpment Planning and Development Act.

However, as a result of input received, the Commission is attempting to reduce the number of land-use designations to be used in the forthcoming Proposed Plan and to simplify it as much as possible.

On behalf of the Commission, I would like to thank all those who contributed ideas and recommendations to this vital segment of the planning process and to ask that this be continued through the next stages.

I am convinced that in the final analysis the Commission will present the Province with recommendations for a plan, based on a fair, reasonable and democratic approach.

Public Hearings

When the Commission's Proposed Plan is completed later this year, there will be a statutory four-month review period for municipalities and the public to study the Commission's proposals. Hearing officers will then hold a series of extensive public hearings on the Proposed Plan.

When hearings are completed, the hearing officers will, within three months, submit their reports and recommendations, to both the Commission and the Provincial Secretary for Resources Development.

After considering the hearing officers' report, the Commission will then submit to the Provincial Secretary its Proposed Plan with any additional recommendations based on the hearing officers' report.

The Provincial Secretary is required by legislation to submit to Cabinet for approval his recommendations on the Proposed Plan. If the Provincial Secretary does not accept all the hearing officers' recommendations, public notice shall be given and within 21 days anyone may appeal to Cabinet.

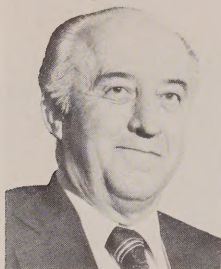
In summary, we have heard in great detail over the past year from Escarpment area landowners, municipalities and various interest groups.

We are also interested in the views and opinions of other Ontarians as well. We welcome your comments and we value your input — let's hear from you.

Ivor McMullin

Ivor McMullin,
Chairman,
Niagara Escarpment Commission

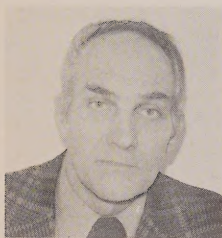
Niagara Escarpment Commission Members



Chairman

Ivor McMullin — was appointed Chairman of the Niagara Escarpment Commission in December 1975 by Premier William Davis. A member of the Commission since its inception, Mr. McMullin is a former mayor of Caledon, a former reeve of Albion Township and a former warden of Peel County. He is a life member of the Metropolitan Toronto & Region Conservation Authority. Mr. McMullin lives in Caledon East where he has operated a beef farm for a number of years.

Representing County and Regional Municipalities



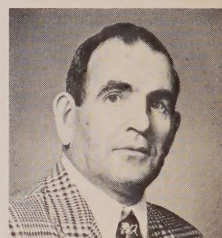
Lloyd Adams



Roy Booth



Ivan Buchanan



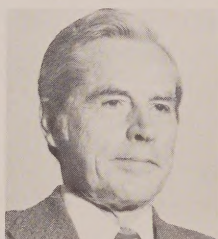
Edgar Currie



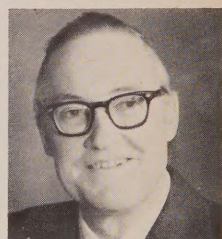
Paul Gallagher



Robert Mackey

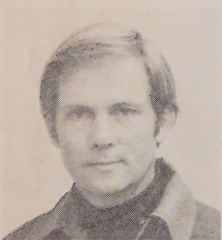


Robert McNairn



Alex Raeburn

Representing the Public at Large



Robert Bateman



Leo Bruzzese



Gary Harron



Robert Keast



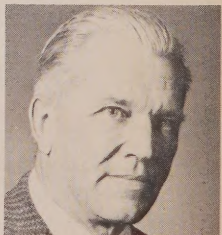
Bernice Limpert



Raymond Lowes



Anne MacArthur



Lee Symmes

Representing County and Regional Municipalities

Lloyd Adams — is a councillor for St. Edmunds Township and a member of the Bruce Peninsula Planning Board. He is a former member of the Bruce County Land Division Committee and a former chairman of the Bruce Peninsula Committee of Adjustment. Mr. Adams is a motel owner in Tobermory. He represents the County of Bruce.

Roy Booth — is a councillor for the Town of Halton Hills and its representative on Halton Regional Council. He has been active in conservation-related activities and was a member of council for the former town of Georgetown. He was also chairman of the Halton Hills Planning Board and is currently chairman of the Halton Region Planning Committee. Mr. Booth represents the Regional Municipality of Halton.

Ivan Buchanan — is a former regional councillor in Niagara. He has been involved in municipal politics for 38 years and is a former mayor of St. Catharines. Mr. Buchanan is the representative of the Regional Municipality of Niagara.

Edgar Currie — has served as a member of the Nottawasaga Township Council for 15 years and was the warden of Simcoe County in 1975. He is a former member of the Nottawasaga Planning Board and was its chairman for two years. Mr. Currie is the representative for Simcoe County.

Paul Gallagher — has served on Mulmur Township Council for eight years, for two years each as a deputy reeve and reeve, during which period he was also a member of the Dufferin County Council. He is also a member of the Mulmur Planning Board. Mr. Gallagher farms in Mulmur and is the representative for Dufferin County.

Robert Mackey — is a St. Vincent Township councillor. He is chairman of St. Vincent Planning Board and chairman of the Grey County-Owen Sound Planning Board. Mr. Mackey, an Ontario land surveyor, represents Grey County.

Robert McNairn — former reeve of Waterdown, has been active in municipal politics for over 30 years. He is a former member of the Hamilton-Wentworth Planning Board and is the current chairman of the Waterdown Public Utilities Commission. He is in the general insurance business in Hamilton and represents the Regional Municipality of Hamilton-Wentworth.

Alex Raeburn — is a former Peel Regional councillor and former chairman of the Peel Public Works Committee. He is a member of the Credit Valley Conservation Authority, and was former chairman of the Caledon Township Area School Board. Mr. Raeburn, who has been in active municipal politics for 15 years, is the representative for the Regional Municipality of Peel.

Representing the Public at Large

Robert Bateman — is a professional artist and former art teacher, who has held major exhibitions of his paintings in Canada, England, the United States and Kenya. Mr. Bateman has also designed two Canadian postage stamps: the Eastern Cougar and the Peregrine Falcon, and is currently designing a third endangered species stamp. He is a former director of the Hamilton Naturalists' Club and the Sierra Club.

Leo Bruzzese — was an alderman for five years in the town of Pelham and was chairman of the town's Planning Committee. He is executive vice-president of a St. Catharines radio station and a public accountant in Welland.

Gary Harron — is reeve of Amabel Township and former warden of Bruce County. A former member of Amabel's Planning Board, he is now a member of the Bruce Peninsula Planning Board. Mr. Harron farms in Bruce County.

Robert Keast — is a former mayor of Thornbury and a former chairman of the Grey County-Owen Sound Planning Board. He is chairman of the Grey County Land Division Committee and is a member of the Beaver Valley Planning Board.

Bernice Limpert — is reeve of the town of Wiarton, chairman of the Finance Committee and member of the Planning Committee of Council. She was chairman of the Agriculture and Tourism Committee of Bruce County and is currently a director of the Grey Bruce Tourist Council. Mrs. Limpert is a former newspaper manager and hotel owner.

Raymond Lowes — is secretary of the Bruce Trail Association. He is a member and former director of both the Federation of Ontario Naturalists and the Hamilton Naturalists' Club. Mr. Lowes also belongs to the Sierra Club, the Canada Nature Federation and the Conservation Council of Ontario.

Anne MacArthur — is a former mayor of the town of Milton. A former high school teacher, Mrs. MacArthur was a member of the Nassagaweya Township Council for nine years and a former warden of Halton County.

Lee Symmes — is a retired farmer and lives in the Terra Cotta area. He is a member of the Executive Committee of the Conservation Council of Ontario, the Sierra Club and the Ontario Federation of Naturalists. He was also a member of the Interested Citizens Advisory Committee to the Parkway Belt West Master Plan.

JUST FOR THE RECORD:

THE PRELIMINARY PROPOSALS

Although the Preliminary Proposals, released just over a year ago, are now in a sense 'historical papers', Cuesta believes that the highlights should be recorded here to aid readers who may not have read the full document.

The Preliminary Proposals was the Niagara Escarpment Commission's first draft of a plan designed to accomplish the goal of the Niagara Escarpment Planning and Development Act — "to maintain the Escarpment and land in its vicinity substantially as a continuous natural environment."

While the legislation did not specifically require such a document to be prepared, the Commission's view was that its publication and review by the many public agencies and the general public would be most valuable to the Commission in developing a sound basis for the more formal plan (the Proposed Plan) required by the Act. It was seen as one step in the process of preparing a plan which would be the subject of extensive public hearings and ultimate consideration and approval by the Ontario Cabinet.

Following consultations with provincial ministries and the two Advisory Committees to the Commission, the Proposals were released in February 1978.

During the following months, representatives of the Commission met with officials from each of the 55 municipalities within the Planning Area, several provincial ministries, special interest groups, advisory committees, ratepayers' groups and numerous individual members of the public to explain and secure reactions to the Proposals and suggestions for changes in them.

More than 100 meetings attended by 6,000 or more people were held, resulting in 160 formal written submissions from organizations and public bodies in addition to hundreds of letters from interested citizens. Many of these recommendations will be incorporated in the Proposed Plan to be released later this year.

Highlights

The Preliminary Proposals covered a meandering corridor of 5,200 square kilometres (2,000 square miles) one to 15 miles (25 km) wide, from Queenston on the Niagara River to the northern tip of Bruce County, a distance of some 725 kilometres (450 miles).

The corridor centred on the most prominent physiographic feature in Southern Ontario — the Niagara Escarpment. This 5,200 square kilometre area had been defined by the Ontario Government in 1974 as the Niagara Escarpment Planning Area. The Commission is required to prepare a plan for all or part of this area.

The Preliminary Proposals consisted of a series of 22 discussion papers (with maps), each dealing with a land use or issue that the Commission considered significant as an ingredient of a plan designed to secure the goals and objectives of the Niagara Escarpment Planning and Development Act.

The papers were divided into three broad classifications called **Basic Designations**, **Overlay Designations** and **General Designations**.

Basic Designations

This class contained discussion papers entitled: Forest, General Rural, Lakeshore, Lakeshore Residential, Special and Mixed Agriculture, Mineral Resource, Scarp, Urban, Special Areas, Bruce Trail and Scenic Drives. The Forest, General Rural and Agricultural designations accounted for 87 per cent of the Planning Area.

Forest — Lands proposed for forest use were generally those areas already in forest cover on soils appropriate to forest production. Objectives sought to maintain these areas through sound forest man-

agement practices, and to prevent developments which were inconsistent with their retention as an economic asset, as a habitat for wildlife and flora, or as an important aspect of the natural beauty of the Escarpment area.

Special and Mixed Agriculture — The Commission proposed that lands designated as Special and Mixed Agriculture Areas be preserved primarily for agricultural use and that development not directly related to agriculture should be restricted.

The Special Agriculture Areas were identified as lands with a high capacity for special crops such as tender fruits and apples. The Mixed Agriculture Areas were those areas indicated as having the best soils for sustained production of common cultivated field crops and perennial forage crops. Provisions were included for retirement lots for farmers.

General Rural — Lands so designated were generally areas with lower soil qualities than required for the agricultural designations and which did not have special qualities to justify their inclusion under one of the other Basic designations. However, the preservation of their rural character was important if the objective of the Act, "maintenance of the open landscape character of the Niagara Escarpment," was to be secured. The range of land uses proposed for this designation was wider than in most other Basic designations but still held to relatively low-density rural activities.

Lakeshore — This designation included frontage along Lake Ontario, Georgian Bay and Lake Huron which was still in a relatively natural state, and where preservation in this undeveloped state was considered important to the quality and character of the Escarpment area, and for public access to the Great Lakes.

Lakeshore Residential — This included frontages along Lake Huron, Georgian Bay and inland lakes, where the original natural features had been partially lost through recreation cottage developments, but where some limited additional growth could occur without appreciable disruption of the natural environment.

Mineral Resource — Land designated contained commercially exploitable deposits of sand, gravel and stone which could be developed without too adverse an impact on the natural environment. Generally, existing licensed pits and quarries were proposed to be continued under stringent standards of operation and rehabilitation. New areas were proposed where extraction could occur.

Scarp — This was a definition of a continuous band of land from one end of the Planning Area to the other. It represented the most visually prominent slopes directly associated with the rock formations of the Escarpment, and the location of the bedrock formation where they were buried under glacial overburden. Very stringent controls were recommended on new development and positive programs were proposed to maintain the natural character of the Scarp.

Urban — This classification designated existing urban areas and recommended factors to be considered in further expansion. One of the prime objectives was to direct new urban growth away from areas which were particularly important to the goals of the Niagara Escarpment Planning and Development Act.

Special Areas — Three specific areas were identified for which local official plan amendments had recently been approved and within which the Proposals would have limited application.



Glacial moraine and farm near Mono Centre, Dufferin County.

Scenic Drives — The Commission mapped a proposed low-speed scenic drive system — about 725 kilometres — using existing roads, except for 35 kilometres in Bruce County, to provide access by car to the scenic areas of the Escarpment.

Bruce Trail — In the Provincial Government's 1973 policy paper on the Escarpment, the Government accepted the need to determine the best location for the Bruce Trail. The Proposals made recommendations on this, and on ways of securing and managing the Trail.

Overlay Designations

Within the areas covered by the Basic Designations, the Commission found many sites with qualities which set them apart from the surrounding lands because of their particular historical, scenic, geological, ecological or other values. These sites were identified on the maps accompanying the Preliminary Proposals in such a manner as to "overlay" the Basic Designations.

The seven overlay designations were: Cultural, Natural, Hazard, Scarp Protection, Scenic Resources, Provincial Acquisition and Minor Urban.

Cultural — This designation marked sites of significant archaeological and historic interest which had been identified in studies undertaken by the Ministry of Culture and Recreation. The object of the recommendations of the Preliminary Proposals was to preserve these areas through a combination of site design, agreement with owners, research and public education.

Natural — This designation included 72 prime wildlife habitats, more than 100 sites containing unique plants, flowers and trees, and more than 100 sites of geological significance — all of exceptional scientific and educational value and important to the survival of sensitive plants and animals.

The designation also defined many streams and rivers of value for their fisheries. As with the Cultural designation, the object of the recommendations was to preserve and enhance the contribution made by these features to the natural beauty and uniqueness of the Escarpment area.

Scenic — The Escarpment is extremely rich in spectacular views. The purpose of the Scenic designation was to identify those areas which, from the standpoint of most viewers, contained scenery of above average quality. The objective of the recommendations was to retain the attractiveness of these views to the maximum practical degree through very careful design review of all new developments and landscape maintenance programs.

Provincial Acquisition — Generally, this designation indicated lands already owned or proposed to be purchased by the Ministry of Natural Resources and by Conservation Authorities. Approximately half of the 69,900 hectares (173,000 acres) designated had already been purchased, most of it during the past ten years. The objective was to provide public access to the Escarpment, to protect ecological and historical sites and to provide adequate opportunities for outdoor recreation.

Provisions were included in the Proposals for use of the lands pending public purchase and for tax compensation to the municipalities where lands were secured.

Scarp Protection — Like the Scarp, this designation extended in a linear form from one end of the Planning Area to the other. It extended approximately 300 metres beyond the edges of the defined Scarp. Its purpose was to provide additional protection to the more physically prominent portions of the Escarpment through careful public review of all new developments to ensure that they were as compatible as possible with the natural environment of the Scarp.

Hazard — The designation covered lands considered as having physical and environmentally hazardous characteristics such as poor drainage, flooding or erosion tendencies or unstable terrain which could cause serious property damage or loss of life if developed for other than a very narrow range of land uses.

Minor Urban — The Proposals identified small, concentrated rural communities having a minimum population of 75, which provided services to surrounding areas. The Proposals provided for their limited expansion but in a manner which protected the natural environment of the Escarpment.

General Discussions Papers

The third group of discussion papers in the Preliminary Proposals were those applying to the entire Planning Area.

General Water Resources — It was required that the Commission make provisions in the plan "to maintain and enhance the quality and character of natural streams and water supplies". The Proposals set out factors which should be considered in dealing with all new development which might have an adverse effect on ground and surface waters.

General Recreation — Recreation was considered very important, not only as a use of land appropriate to the Escarpment area, but also in providing economic benefits to the municipalities. This discussion paper proposed factors to be considered in dealing with recreation proposals and ways of stimulating recreational activities.

General Transportation and Utilities — The significance of the location and design of both new and existing transportation routes and utilities on the natural environment was recognized by the Commission. The Commission recommended that all new facilities which might be proposed should be studied with the view of making them more compatible with the objectives of the Act.

Administration of the Plan — This paper listed the many actions which must be taken when the Niagara Escarpment Plan has been approved by the Provincial Cabinet, the Commission's view on the division of administrative responsibilities between the Province and municipalities and various means of securing effective, long-term implementation of the plan adopted.

Public Reaction to the Preliminary Proposals

Letters?

Did we get letters!

A resident of Lion's Head decided to put pen to paper and fired off the following comments, concerning his views on the Commission's Preliminary Proposals:

"I was sick with disgust, for you and the rest of the members of your board for the foul and ignorant proposals that you are trying to force on people ... There is no reason why we who have purchased property, should be forced to give city people, who are too cheap to buy their own, access to ours ...

We will also shoulder arms if necessary to enforce our rights as owners of our lands."

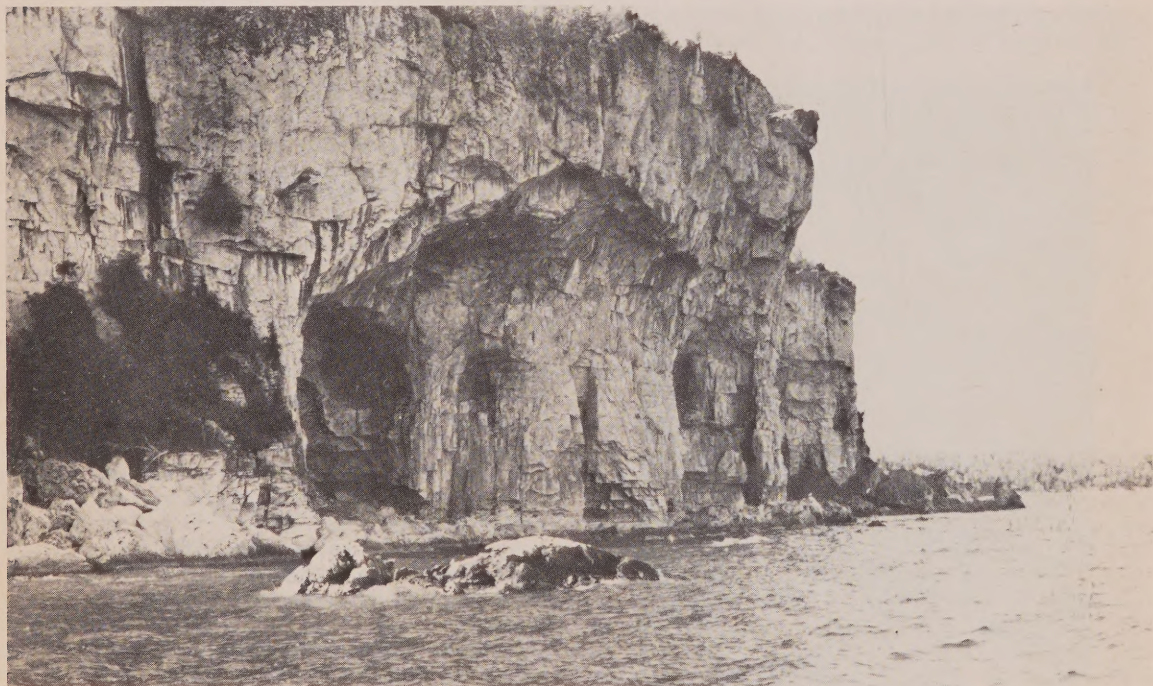
In all the Commission received over 400 letters, some, like the one above, highly emotional; while others commended the Commission on its first draft of a plan for the Escarpment.

The majority of letters requested specific information on how the Proposals would affect a particular piece of property. There were also several petitions both for and against the Commission's objectives.

The Commission also heard from Bruce Peninsula residents who were concerned about rumours circulating in their area. A concerned resident wrote:

"I hope you will help us here on the Bruce Peninsula resist the united efforts of the land speculators who are spreading stories about the Bruce Trail hikers and giving false information to the farmers to try and alarm them into abolishing the Niagara Escarpment Commission.

"There seems to be continued tales about government environmentalists bringing bobcats, bears and rattlesnakes into the Peninsula. These stories seem to be emanating from speculators at ...



Cave Point, Bruce County.

"I object to developers continually telling the farmers their land is about to be taken away without compensation; and the real farmers believe it! Too many land developers in this area who own land are posing as 'farmers' and yelling about government interference."

Elsewhere in the Escarpment area a lady wrote to say:

"They [farmers and landowners] have been organized very effectively by interested parties who own speculative land in Dufferin County and the result is a great deal of panic communicated on just about every issue.

"Many farmers are convinced that they will not be allowed to chop down a tree, or sever a piece of land, and that the part of their property which reads as trailway on the map will be taken over by the government without compensation.

"It would seem that much of the misunderstanding has been spread deliberately ... They complain of government bureaucracy and high-handedness and yet seldom before has there been an opportunity for a citizen to influence government proposals in such a profound manner ... The N.E.C. is being blamed for the 87-cent dollar, inflation, unemployment and the rest of the woes of a declining economy!"

A man from Stayner wishes the Commission would just fade away. Hikers and nature lovers too!

"We do not want any part of the Niagara Escarpment Commission, nor do we want strangers tramping over our land. The sooner the Commission is disbanded, the better off we will be."

A lady from Bolton tried to put the whole issue into perspective and stated:

"The question of what will happen to the Niagara Escarpment is a serious one: for the landowners

who feel they are being exploited, for the public who feel they are being cheated out of the enjoyment of this area and for the politicians who try to win votes."

And from Guelph, a man wrote:

"In the heat of much negative reaction, we must not lose sight of the fact that the Niagara Escarpment is a resource of truly provincial, national and international significance. I believe that most municipalities have difficulty in adequately considering non-local interests and consequently, some regional or provincial guidance is absolutely essential."

From Toronto, a lady urged the Commission to consider all Ontarians:

"Although it is a difficult job to introduce land-use planning into areas of Southern Ontario where historically development has been unrestricted, the importance of this work cannot be over estimated ... It is the long-term interests of the people of Ontario for which the Commission is responsible and we hope you will bear this in mind as you draw up your master plan."

In all, Cuesta read through five thick files of letters received and found that opinions seemed to be about evenly divided between support for, and criticism against, the Commission's objectives, although during the latter half of 1978 there were considerably more favourable than negative comments received.

Briefs and Submissions

By December 1, 1978, the Commission had received, as requested, briefs and submissions in response to the Preliminary Proposals from a majority of the 55 municipalities in the Niagara Escarpment Planning Area.

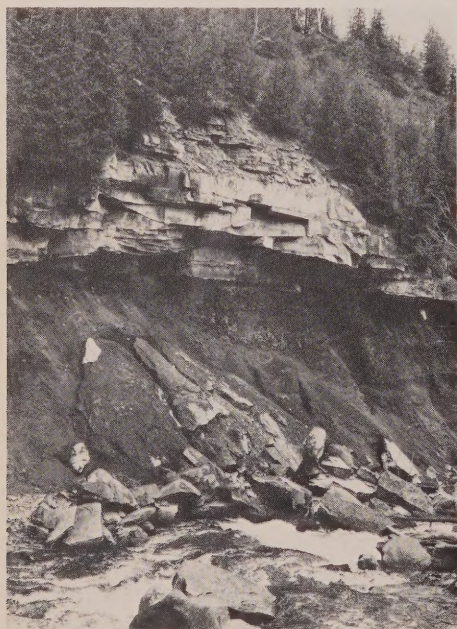
In addition, lengthy submissions were received from provincial ministries, conservation authorities and various other interest groups.

In all, over 160 detailed briefs and submissions were received. For the most part, the submissions from the municipalities and provincial ministries were technical and dealt with a particular issue or area.

Most municipalities were of the view that the Planning Area was too large. Subsequent discussions and meetings held between Commission members and representatives of Escarpment area municipalities resulted in the reduction in the area for which the Proposed Plan is being prepared from 5,200 square kilometres to approximately 2,100 square kilometres. The exact boundaries will not be finalized until the Proposed Plan goes to press in the near future.

A considerable number of municipalities would like to see control of the Escarpment return to the local or regional level of government, as soon as possible. A few, however, reject the Niagara Escarpment Commission altogether and contend that they are quite capable of doing their own planning for the Escarpment area.

Cuesta also reviewed the briefs and submissions submitted by the various interest groups and we found many contained constructive comments and proposals. Cuesta decided, at the risk of being mis-



Whirlpool sandstone in Caledon township, Peel Region.

quoted or criticized, to highlight some of the proposals and issues raised in a sampling of four interest groups' submissions to the Commission.

Niagara Escarpment Northern Ratepayers

One of the few vociferous anti-Commission ratepayers groups which took the time to present a brief was the Niagara Escarpment Northern Ratepayers Association. Its brief entitled "Return Government to the People" didn't mince words.

Disband the Commission, repeal the Niagara Escarpment Planning and Development Act and return control and planning to the local municipalities was the general theme of the submission, representing the views of some Bruce and Grey County ratepayers.

The ratepayers considered the Preliminary Proposals "to be a curtailment of private enterprise", and recommended that "the Province and Federal government provide some property rights legislation."

The brief stated that the ratepayers' experience with development control had been "negative."

The position of the ratepayers as expressed in the brief is that, in the past, area landowners have preserved the Escarpment and "... we cannot afford to give it to the public or Government, and, until such time as the public or Government is prepared to purchase or adequately compensate us for this great 'Provincial Resource', it is actually still private property on which each owner is paying taxes."

Commenting on the Bruce Trail, the brief states: "The idea of a permanent and continuous Bruce Trail corridor through public and private property must be abandoned. The original handshake agreement could still work; if problems warrant, the Trail would then have to close; because the concept of uncontrolled public use of private property will not work."

The ratepayers summed up their frustrations by noting that "the complete lack of provisions for adequate compensation to landowners when their property is affected is intolerable."

Euphrasia and Beaver Valley Ratepayers

The Euphrasia and Beaver Valley Ratepayers brief suggested that the final Escarpment plan should be administered by a county-level planning board and subsequent decisions should be subject to appeal to the Ontario Municipal Board and Cabinet.

The brief notes that the ratepayers do not reject the Niagara Escarpment Planning and Development Act, the Commission or the Preliminary Proposals. They recognized that controls or zoning for certain areas are essential to the final plan.

Once the plan is approved by Cabinet, the ratepayers wish to have the local municipality give first approval to any building or development request, with responsibility for ensuring that the request meets the goals of the final plan, before passing it for approval to the county.

Commenting on the development control process, the ratepayers, stated, "We do not wish to see the final plan impose regimentation on landowners in matters such as siting, architectural design, landscap-

ing, etc., in such detail as to frustrate the normal and natural desires of people to do what they want (within limits) with their private dwellings and buildings. Wider tolerance must be accepted by the Commission or the entire plan will founder on massive public resistance."

The ratepayers voiced concern about the inability of townships, like Euphrasia, which have considerable portions of land under development control regulations, to encourage light industry in order to raise enough assessment revenue. They recommend that compensating financial grants be made to these municipalities in lieu of unrestricted development by elected officials in the interest of raising tax revenues.

It was also pointed out that local municipalities are under constant pressure for increased services such as garbage disposal, roads, snowplowing, etc. In the face of these pressures "our Association feels it is unlikely that the long-term protection of the sensitive Escarpment and adjacent lands and water can be carried out by local councils, with members elected every two years ... Local politicians will always be faced with the two-sided problem of granting development permits in order to raise assessment to pay for the rising demand for services and then the rising costs directly attributable to the completed project."

The brief went on to state "we consider that only the Provincial Government has the long term incentive and the will to protect the areas under discussion, for the use, enjoyment and benefit of generations to come."

The brief recommended that specialized apple lands and productive farm acreage should be protected from indiscriminate tourist/chalet development and urban sprawl. The ratepayers also urged that farmers and orchardists not be prevented from improving their efficiency either by land consolidation or the erection of new and improved facilities.

The ratepayers recommended that, upon completion of the plan, the Commission or its successor should act as an advisory and planning agency only, to assist municipal government and provincial ministries.

They recommended that the Province obtain easements for the optimum routing of the Bruce Trail, but rejected any suggestion of expropriation if the landowner was reluctant to provide access. A suggestion was also made for an amalgamation of control between the Bruce Trail Association and the Province to provide such services as trail maintenance, supervision and closure through overuse.

The idea of a Park Warden Service was also recommended to the Commission, so that the Bruce Trail could be supervised and landowner complaints could be dealt with. The ratepayers have urged the Province to consider legislation which would protect the landowners from possible lawsuits by Trail users injured on landowners' property. A suggestion was also made that the Province should set up a mechanism to compensate landowners for any damage caused to their property by Trail users.

It was suggested that areas designated for eventual public ownership should have the tax assessment adjusted immediately and the Province should move quickly to purchase these properties.

The Conservation Council of Ontario

The Conservation Council of Ontario made a submission to the Commission which voiced concern over the "arbitrary reduction in the size of the Planning Area."

The Council reaffirmed its undivided support of the Commission's objectives and also urged the Commission to resist future pressures "which seek to encroach on the effective realization of a comprehensive plan."

It also observed that many municipal Official Plans are weak in their provisions to preserve the Escarpment; some Official Plans have yet to be adopted or even drafted; and one county and several municipalities in the Planning Area do not have planning departments.

It recommended that areas of proposed public acquisition should be clearly defined and policies should point out that some of these areas may not be required for several years. The Council suggested that the Commission undertake an in-depth analysis on the use of easements to reduce cost to the public purse and investigate other alternative mechanisms, such as the right of first refusal, to improve the land acquisition process.

Concern was also expressed over the recent continuing closures of parts of the Bruce Trail. The Council recommended that whatever steps necessary be taken through negotiation and compromise to assure that an uninterrupted footpath be restored in perpetuity from Queenston to Tobermory.

Federation of Ontario Naturalists

The Federation of Ontario Naturalists, with an active membership of more than 12,000 persons, many of whom live within the Escarpment area, reiterated its strong support for the objectives contained in the Niagara Escarpment Planning and Development Act, and cited the Commission's Preliminary Proposals as a major step forward in accomplishing those objectives.

The Federation, like many other conservation-related groups, expressed strong objection to the reduction in area for which the Proposed Plan is being prepared. The Federation's submission noted that "the Escarpment cannot be managed or protected as a mere ribbon along the Scarp itself," and "the Escarpment's values are integrally linked with the natural ecosystems and land uses both above and below the actual face."

The Commission was also urged to adopt stronger policies in order to prevent the piecemeal creation of hundreds of new lots within Natural Areas (features of particular geological or geomorphological interest and ecological habitats necessary to support sensitive plant and animal species).

Regarding a route for Scenic Drives, the Federation noted that such a proposal may tend to concentrate recreational traffic, leading ultimately to overuse. It was suggested that the Commission develop a policy designed for roadside enhancement to disperse recreational driving, rather than concentrate it.

The Federation recommended that the Commission address itself to the very complex issue of landowner rights and public compensation. The submission



Entrance to Hope Bay Cave, Bruce County.

states in part, "we believe that Escarpment landowners should not be expected to subsidize, financially or otherwise, the provisions of benefits enjoyed by other groups." On the other hand, "no landowner should consider as a right, purely speculative profit on his land because of the Escarpment Plan. We do not agree that any landowner has an inherent right to develop his land to whatever intensity or form he chooses."

Concern was expressed that the Preliminary Proposals did not contain a comprehensive parkland policy for the Escarpment. The Commission was also asked to re-evaluate the effectiveness of the development control process, with perhaps a view to returning to traditional zoning techniques once the plan is legislated.

The Federation recommended public funding for maintenance and policing of the Bruce Trail to protect the landowner. Continuance of the co-operative "handshake agreements" now used, with public acquisition or compensation only if requested by the landowner, was also suggested.

Upon disbandment of the Commission, the Federation suggested that a special purpose agency directly within a provincial ministry be established with the Niagara Escarpment as its sole responsibility, to enforce the plan and administer funding. "Administration of the final plan at the local level is preferable, provided that the municipalities are charged with a duty to implement and enforce the plan."

In summary, Cuesta notes that the preparation of a plan to maintain a continuous natural environment is a formidable and time-consuming operation. Provincial financial constraints, the question of landowners' rights, a broad spectrum of widely divergent opinions and attitudes, all combine with a myriad of other factors to further tax the Commission members in their deliberations to prepare a reasonable and acceptable plan.

Some job!

Escarpment Planning Area Abounds in Wildlife

Why is the Niagara Escarpment vital to the preservation of wildlife in Ontario?

The answer to that question is contained in two reports which were prepared for the Niagara Escarpment Commission by the Ontario Ministry of Natural Resources.

The reports, "Wildlife in the Niagara Escarpment Planning Area" and "Fisheries Resources in the Niagara Escarpment Planning Area" are available for examination at the Commission's offices in Georgetown, Grimsby and Clarksburg.

Essentially, the reports describe the wildlife and fish resources of the Escarpment and identify the threats to them.

If one sentence had to be used to describe the major conclusion of these reports, it would have to be this: "The most important ecological contribution of the Niagara Escarpment Planning Area (N.E.P.A.) to wildlife is its provision of diverse and well-mixed habitat types."

In other words, because the Planning Area contains one of the longest strip of forests in southern Ontario, mixed with farmland, the N.E.P.A. is a vital refuge for 320 species of birds, of which about half nest in the area; 36 known species of reptiles and amphibians, including the harassed Massassauga rattlesnake; 53 resident species of mammals from opossums and pigmy shrews to bobcats and deer, and 90 fish species including bass, pickerel, salmon and trout.

Birds

The bird fauna situation in the N.E.P.A. has two outstanding characteristics. It is surprisingly rich with 150 migrant species and 162 breeding residents and, secondly, it supports large populations of forest and forest-edge bird species, foremost among which are warblers, thrushes, vireos, woodpeckers, hawks and owls.

The two species most closely associated with the Escarpment are the turkey vulture, often seen soaring parallel to Escarpment cliffs as it searches for carrion, and the winter wren, a small secretive bird which thrives in cool, moist, heavily wooded areas and prefers the north and northeast Escarpment slopes where spring conditions are delayed.

The Bruce Peninsula is considered one of the best places in southern Ontario to look for such birds as loggerhead shrikes, all four species of swallows, red-shouldered hawks, western meadowlarks, Brewer's blackbirds and Caspian terns.

The Escarpment also plays an important role in bird migration over southern Ontario. It provides vital resting and feeding stopover habitats for migrant birds while the Bruce Peninsula is a favourite staging area for spring migrants flying from southern Ontario to the north shore of Lake Huron and beyond. Large diversified flocks of birds accumulate at the tip of the Bruce Peninsula before they "island-hop" their way northward.

Reptiles and Amphibians

In the past, the N.E.P.A. was not considered a particularly important area for most species of reptiles and amphibians. However, because of habitat destruction elsewhere, the N.E.P.A. is now regarded as a highly important refuge and vital to the survival of such reptiles and amphibians as the northern dusky and spring salamanders and the eastern Massassauga rattlesnake.

Several other rare and threatened species have been recorded in the Escarpment area, including the pickerel frog, spotted turtle, map turtle, Blanding's turtle, wood turtle, queen snake and the eastern hog-nosed snake.

Other less rare species include the red-backed salamander, northern water snake, red-bellied snake and the mills snake.

Mammals

The N.E.P.A. has 53 resident species of mammals.

The most popular habitat for mammals is woodland areas. There you will find the common opossum, shrews, bats, chipmunks, mice, porcupines, foxes, black bears, ermines, weasels and deer.

The second most popular environments for mammals are swamps, marshes, water courses and generally wet areas. There can be found: hares, shrews, moles, bats, lemmings, mice, racoons, weasels, otters and beavers.

Agricultural areas also attract shrews and hares in addition to woodchucks, coyotes, foxes, badgers, skunks and bobcats.

Some of the various interestingly-named N.E.P.A. species include: star-nosed moles, hairy-tailed moles, Eastern and Northern flying squirrels, woodland jumping mice, Norway bats and long-tailed weasels.

Fish

Rainbow trout averaging 3 to 6 pounds, and occasionally in excess of 15 pounds, have been taken by anglers in the N.E.P.A. streams.

The rainbow trout is, in fact, considered the single most important sport fish species in the Planning Area.

The cold, clear trout streams flowing off the central and north-

ern sections of the Escarpment also provide high quality angling for brook and brown trout.

A high percentage of trout streams of southern Ontario originate on, or transect, the Planning Area.

The downstream waters and stream mouths of most Georgian Bay and Lake Huron tributaries provide trophy fishing opportunities for rainbow trout and three species of salmon.

During the summer months, the downstream sections of the larger rivers in the central planning area and the warmer, slow-flowing streams of the Niagara Peninsula provide angling for warm-water fish, including smallmouth bass, panfish, some northern pike and carp.

Gillies Lake in southwestern Ontario is the only inland body of

water in the N.E.P.A. which supports lake trout and whitefish.

Other fish species found in the N.E.P.A. include: white suckers, goldfish, smelt, carp, creek chub, catfish, perch, sunfish and various species of minnows.

Wildlife of Escarpment Caves

Caves along the cliff face of the Escarpment are one of the few habitats unique to the N.E.P.A.

During the summer, the Escarpment caves are used as dens by a number of species — but they are probably even more valuable as sites of winter hibernation, mainly for bats.

Bat species in the N.E.P.A. are: little brown bats, eastern long-eared or keen bats, least bats, silver-haired, big brown, red and hoary bats.



A STONE FENCE in Euphrasia Township, a reminder of the struggles of early farmers with the stones and boulders of the Horseshoe moraines near the Escarpment in Grey County. The concession road here runs to the horizon in a straight line, following the pattern established by the first surveyor. His rectilinear grid has left an indelible historical imprint on the landscape, reflected in road, fence and tree lines, and in the pattern of the farmer's fields.

The farmer's home, too, is traditionally aligned with the concession road. Even a formidable physical feature like the Escarpment did not alter this man-made pattern which has provided the rural landscapes of Ontario with their unique character, and forms the basic context in which all development on the Escarpment occurs. (Photo courtesy of the Ministry of Culture and Recreation.)

Bio-Physical Units ?

The Escarpment Area Has 'Some of the Best'

If you happen to be strolling through the woods one day only to have your meditation interrupted by a long, low, appreciative whistle and somebody saying something like: "How about *that* for a good-looking bio-physical unit?" — don't be disturbed.

At least, not too disturbed.

Chances are the whistler may well be a Ministry of Natural Resources (MNR) biologist.

And he is probably enthusiastic because he has just discovered another fantastic Natural Area in the vicinity of the Escarpment.

But, as everyone knows, biologists talk funny — and government biologists sometimes talk even funnier.

They don't say: "Hey, look at all the trees and birds here — this is a great Natural Area."

They're more likely to say: "By George, this is certainly a life-science candidate area for preservation if I ever saw one. I mean this is a bio-physical unit of high natural quality displaying a minimum of historic and contemporary human disturbance, representing an example of habitat and plant community patterns of restricted and possibly unique occurrence within the Niagara Escarpment Planning Area, thereby possessing a high degree of intrinsic scientific, educational, interpretive and heritage value."

In fact, that essentially is what a team of MNR biologists did say in 1976 after they completed a survey of 600 natural area sites in the Planning Area and identified 68 of these as being of high enough quality to possibly justify public acquisition or special protective measures.

These same biologists, however, also, in very plain language, urged the Niagara Escarpment Commission, where possible, to do whatever it could to protect and preserve these significant Natural Areas.

The complete 247-page MNR report entitled "Nature Reserve Candidates and other Significant Natural Areas in the Niagara Escarpment Planning Area" is available for examination at the Commission offices in Georgetown, Grimsby and Clarksburg.

A partial listing of some of the more significant Natural Areas which are likely to be included in the Commission's forthcoming Proposed Plan may be helpful in visualizing just what areas, in addition to the actual Escarpment face itself, the Commission is attempting to preserve in carrying out its goal "to provide for the maintenance of the Escarpment and land in its vicinity substantially as a continuous natural environment."

Starting in the north and working southward:

The Islands — A group of islands at the tip of the Bruce Peninsula — rich in wildlife, plantlife and natural rugged beauty.

A favourite of migratory and breeding birds, the islands include Cove Island, North and South Otter Islands, Echo Island, Russel Island, Doctor Island, Bears Rump Island and Flowerpot Island — the latter being part of the Georgian Bay Islands National Park. The wildlife includes bears, deer and Massassauga rattlesnakes. The delicate calypso orchid can be found on Flowerpot Island as well as fringed polygala and purple fringed gentians.

Willow Creek, Crane River Headwaters and Cabot Head — This area lies behind the Escarpment as it extends from Cyprus Lake along the Georgian Bay shoreline to Cabot Head — some 13 kilometres. It contains the headwater drainage area for Willow Creek, the Crane River watershed and a diversity of lakes, ponds, swamps, marshes and mixed forest supporting a wide range of plant and animal species.

Willow Creek is one of the few places in Ontario where the prairie fringed orchid can be found. Lymburner Lake has been reported as supporting several orchid species along its eastern shore area.

A rare cliffbrake (*Pellaea* genus) can be seen in the Crane River area. Cabot Head supports a great variety of plant life, including a rare goldenrod-aster hybrid.

Smoky Head-White Bluff — North of Whippoorwill Bay is an eight-kilometre (five-mile) stretch of undeveloped cliffed Georgian Bay shore. The cliffs rise 52 metres (170 feet) above the lake level. Inland three forest complexes dominate the vegetation — mixed, sugar maple and beech — with a rich ground flora including a variety of ferns.

Seven different ferns are commonly found in this general area. A less common wall rue (*Asplenium cryptolepis*) may be seen at the base of the cliff at White Bluff.

Hope Bay Forest — From Lion's Head, the Escarpment continues southward along the Georgian Bay shoreline past Barrow Bay, Cape Dundas and into Hope Bay. The Hope Bay Forest forms an inland link between Barrow Bay behind Cape Dundas to Hope Bay.

The ferns are an indicator of the richness of the forest — some 21 species have been identified, including hart's tongue, walking fern and narrow-leaved spleenwort. Ginseng also grows here.

The Slough of Despond — a 283-hectare (700-acre) wetland complex in North Keppel — described by scientists as a glacial lagoon which reflects an environment that existed at the site thousands of years ago.

The slough has an extensive complex of silver maple, red ash, wet swamp forest and “red maple-mountain maple” moist forest surrounding an open, shallow central pond.

The pond boasts a rich shrub border of swamp rose, buttonbush, sweet gale, dogwood, spice bush and water willow — the closest known locations for water willow are more than 160 kilometres to the south and east.

Kemble Forest and Wetlands — These are lands in the vicinity of the Escarpment as it winds its way south-westerly around Gowan and Mary Lakes. Extensive and varied wildlife, plantlife and forests are represented in this 1,000-hectare (2,500-acre) area which is partly owned by the Sauble Valley Conservation Authority.

Upper Beaver Valley — A 480-hectare (1,200-acre) site at the head of the Beaver Valley — adjacent to Eugenia Falls. The physical characteristics are representative of Escarpment re-entrant valleys — with steep valley walls, streams, narrow gorges and waterfalls. There is great variety in the forest cover, much of it mature.

Pretty River Valley West — In Collingwood Township. The Escarpment cups the west shore of this valley which has two large blocks of forest and a diversity of plantlife, including most of the Escarpment ferns, of which the male fern is especially abundant. A colony of showy orchids has been observed in this area.

Cannings Falls (Scott's Falls) Valley Forest — West of Hockley Valley in Mono Township, a 190-hectare (470-acre) valley along the north tributary of the Nottawasaga River. Although the Escarpment is largely obscured by thick glacial deposits, the river cut exposes various Escarpment formations in a series of three waterfalls. There is great variety in the forest cover, under which various rock ferns may be found.

Credit Forks — Caledon Township. The two branches of the Credit River occupy a forked valley here where the highly scenic, steep, parallel walls of the valley expose Escarpment rock strata.

Hart's tongue and green spleenwort are among the ferns which find this a compatible environment. In its upper reaches the river flows in a series of rapids and waterfalls.

A maple-beech-ash forest occurs on the rolling upland and ground flora is relatively rich with wet forests below the cliffs, where ginseng grows.

Halton Forest North — Located North of Milton — about 700 hectares (1,750 acres). Sugar maple dominates. Swamp forests are, for the most part, deciduous with silver maple, elm and ash.

The Escarpment has its typical sequence of cedar along the rim, with sugar maple, yellow birch, elm and basswood on the upper slope and a cedar forest on the lower slope. The flora of the area is diverse —

yellow lady's slipper and ginseng being of particular interest.

Halton Forest South — This 1500-hectare area (3700-acre) south of Acton and west of Milton is the largest continuous forest along the Escarpment south of the Bruce Peninsula. It is the headwater area for many tributaries of the Oakville Creek and is owned in part by the Region of Halton, the Halton Region Conservation Authority and private individuals.

Such southern species of trees as hickory, shagbark hickory, blue beech and black maple are found here. Halton Forest South is one of only two known localities in Ontario where the West Virginia Butterflyfly exists, due to the abundance of toothwort — the food plant of that butterfly's larva.

Crawford Lake — Milton Outlier Valley — Situated southwest of Campbellville, the area has a complex geological history. The lake itself appears to be a collapsed subterranean cavern and has been the subject of much research by the University of Toronto and the Royal Ontario Museum.

Crawford Lake is a deep meromictic lake — that is to say, the water does not freely circulate as is the case with most lakes.

The bottom waters stay constantly cold and oxygen poor, supporting little life and permitting the lake sediment to remain undisturbed. If the lake sediments remain undisturbed and the nearby vegetation is not altered, the lake will continue to preserve its history of regional vegetation and be of immense value to researchers for many years.

Much of the area is owned by the Halton Region Conservation Authority. The upland hardwood forest is dominated by sugar maple, with occasional white pine.

The talus and Escarpment slope, cliff-and-ravine complex and deciduous swamp forest support a diverse spectrum of growth ranging from cedar, mountain maple, silver maple, ash, elm, basswood, willow-alder thickets, as well as balsam fir — here at the southern limit of its range in Ontario.

Lowville — Bronte Creek Valley — This 120-hectare (300-acre) creek valley in the city of Burlington contains some of the most mature and best developed forest communities to be encountered on Escarpment area floodplains, including hemlock, ash, maple and birch.

Cave Springs — A promontory of the Escarpment about two miles southeast of Beamsville. It includes a forested plain, Escarpment face and slope, and a series of crevices.

This area, with the adjacent Campden Escarpment and the 10-hectare (25-acre) West Vineland Valley, represents one of the least disturbed, most complete cross-sections of Escarpment-related features in a compact section of land.

Jordan Escarpment Valley and the Jordan Harbour Marsh — The Valley extends from the inland Escarpment down to Lake Ontario and includes the Balls Falls conservation area, the deep valley at Balls Falls, two Escarpment terrace valleys, the broad valley mouth, the floodplain basin forest and Jordan Harbour. Adjacent to the valley is the marsh with vegetation representative of the Lake Ontario Plain.

The Niagara Escarpment

The Niagara Escarpment is one of the world's magnificent natural wonders — geologically dating back more than 450 million years. In Ontario, the Escarpment stretches approximately 725 kilometres (450 miles) from Queenston on the Niagara River northward to Tobermory at the tip of the Bruce Peninsula.

The Escarpment and land in its vicinity form a rich mosaic of scenic views, cliffs, hills, waterfalls, mineral deposits, agricultural lands, recreational areas, populated urban centres, historic and archaeological sites.

Geology

The Escarpment is a massive ridge of fossil rich sedimentary rock that originally formed the outer rim of a shallow sea approximately 450 million years ago. The area contains examples of the best exposures of Paleozoic rock and fossils to be found anywhere in the world.



Flora and Fauna

The Niagara Escarpment area contains some 70 wildlife habitats and is frequented by more than 300 species of birds. In addition, there are more than 100 varieties of "special interest flora" including 37 species of orchids.

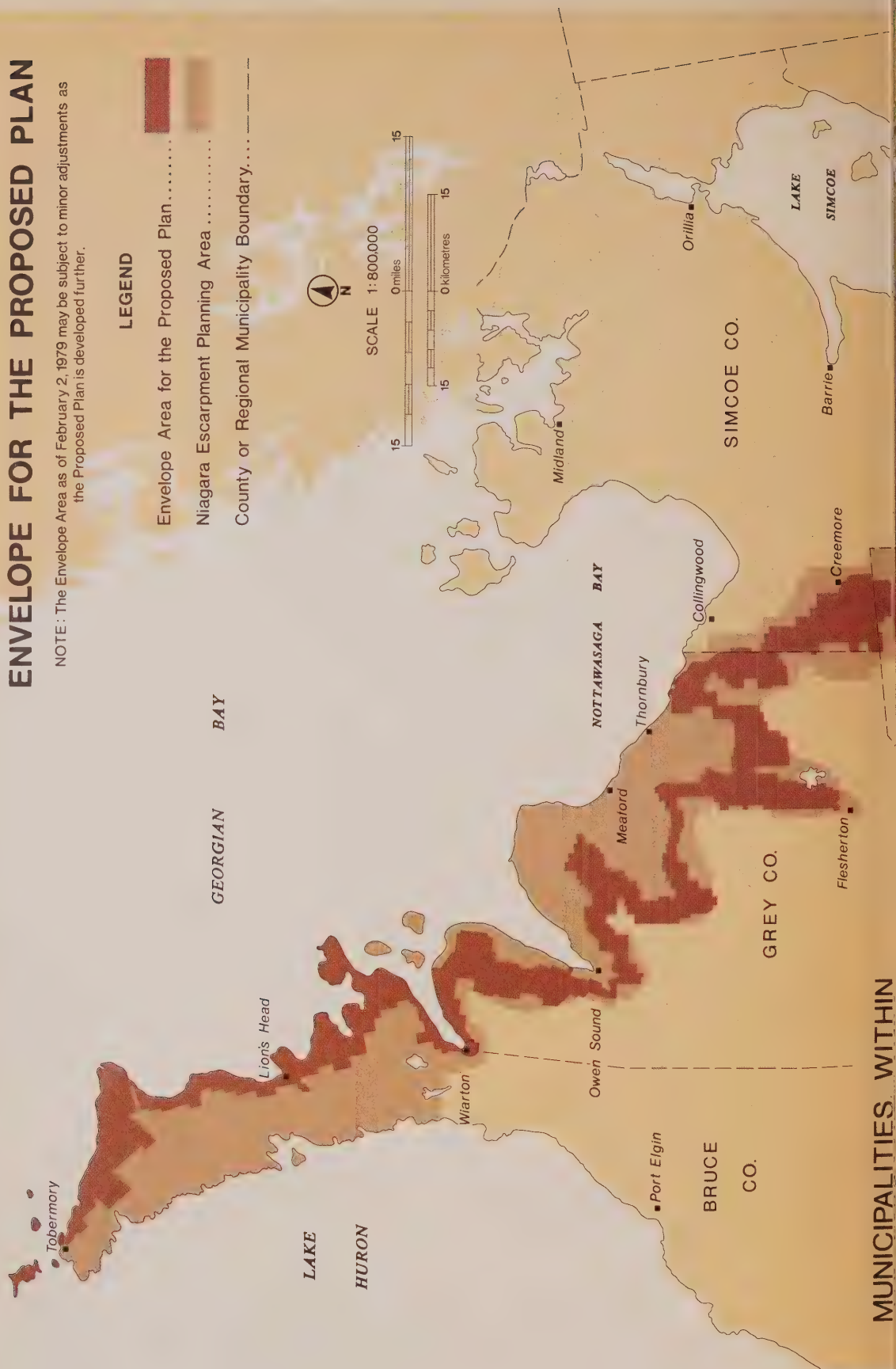


NIAGARA ESCARPMENT COMMISSION ENVELOPE FOR THE PROPOSED PLAN

NOTE: The Envelope Area as of February 2, 1979 may be subject to minor adjustments as the Proposed Plan is developed further.

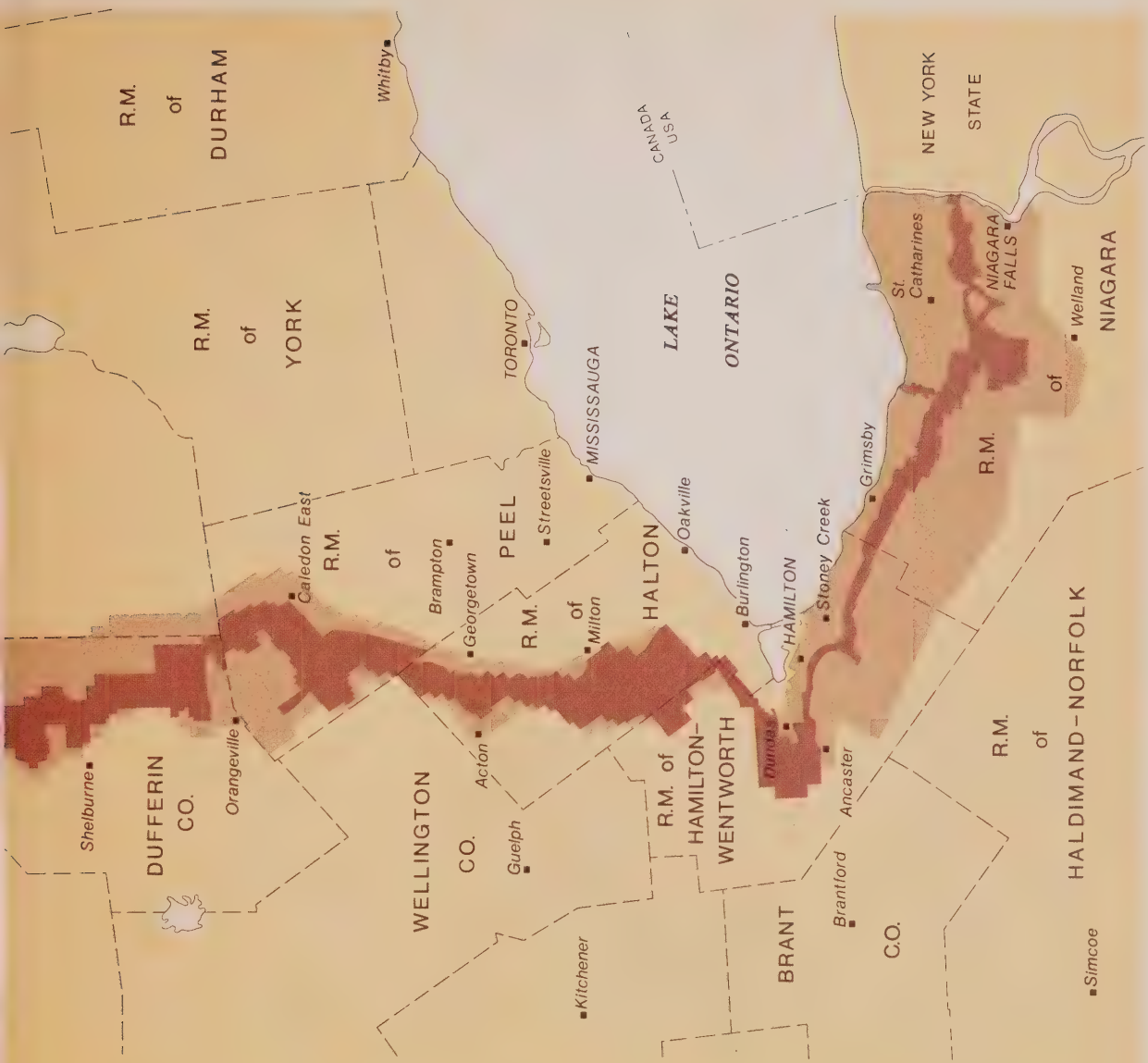
LEGEND

- Envelope Area for the Proposed Plan.....
- Niagara Escarpment Planning Area
- County or Regional Municipality Boundary.....



MUNICIPALITIES WITHIN

- | | |
|-----------------|------------------------------|
| COUNTY | REGIONAL MUNICIPALITY |
| Bruce | Halton |
| Dufferin | Hamilton-Wentworth |
| Grey | Niagara |
| Simcoe | Peel |
| CITY | |
| Burlington | Owen Sound |
| Hamilton | St. Catharines |
| Niagara Falls | Thorold |
| TOWN | |
| Ancaster | Milton |
| Caledon | Niagara-on-the-Lake |
| Dundas | Pelham |
| Grimsby | Stoney Creek |
| Halton Hills | Warton |
| Lincoln | |
| VILLAGE | |
| Lion's Head | |
| TOWNSHIP | |
| Albemarle | Lindsay |
| Amabel | Melancthon |
| Artemesia | Mono |
| Collingwood | Mulmur |
| Derby | Nottawasaga |
| Eastnor | Osprey |
| Euphrasia | St. Edmunds |
| Flamborough | St. Vincent |
| Holland | Sarawak |
| Keppel | Sydenham |



The Niagara Escarpment Commission

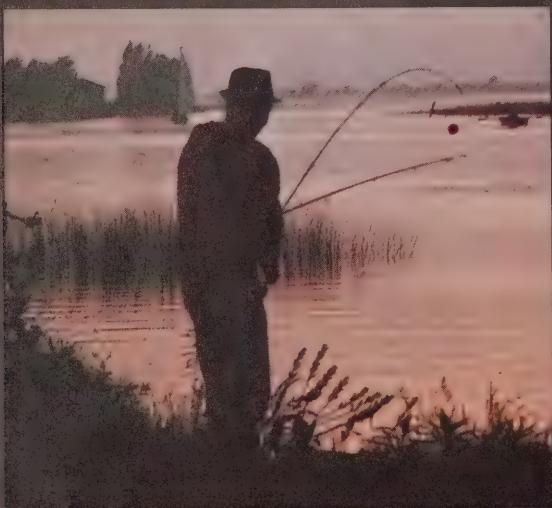
With the assistance of two advisory committees, the 17-member Niagara Escarpment Commission appointed by the Ontario Government is preparing the second draft (to be called the Proposed Plan) of a plan to provide for the maintenance of the Niagara Escarpment and land in its vicinity substantially as a

continuous natural environment.

Until a final plan (the Provincial Plan for the Niagara Escarpment Area) is approved, the Commission is also responsible for regulating development within the Niagara Escarpment Development Control Area.

Recreation

The Escarpment area is recognized as one of Ontario's major recreational areas, ideal for camping, hiking, picnicking, swimming, diving, sailing and skiing. Hiking enthusiasts and nature lovers from around the world are attracted to the Bruce Trail which stretches from one end of the Escarpment to the other.



Agriculture

From the tender fruit lands of the Niagara Peninsula to the beef farms on the Bruce Peninsula, the Escarpment area contains some of the richest agricultural lands to be found in Ontario.



Cuesta Interview:

The Escarpment Challenge From a Planner's Perspective

In the following article, Cuesta asked the Commission's Manager of Plans Preparation, Donald F. Taylor, to respond to some of the most frequently raised issues and questions posed by landowners, municipal officials and the general public.

Cuesta: As the Commission's senior planner what are some of the major problems which the Commission's planning staff have in trying to formulate a Proposed Plan which will satisfy both concerned ratepayers, developers and farmers on the one hand and naturalists and environmentalists on the other?

Taylor: The wording of the question implies that farmers and other ratepayers are not naturalists and conservationists and vice-versa. In many, many cases they are the same. In our public meetings it was obvious that many farmers and other ratepayers were as concerned about conservation of natural resources as those normally classified as naturalists and conservationists.

It is not possible to prepare a plan which will be equally satisfactory to all the interests involved. The expectation and attitudes (of even provincial ministries) are just too diverse, many being in direct conflict with one another.

What we must do, and have been attempting to do, is to provide the broadest possible opportunity for people to understand what is being proposed, permitting all to state their views on what should happen, and to examine carefully all these views to determine those which can be incorporated in the plan without frustrating the objectives expressed in the legislation.

Cuesta: Many people found the Preliminary Proposals difficult to understand. Will the forthcoming Proposed Plan be written so that it will be more easily understood?

Taylor: We will certainly try. However, anyone who thinks that the Commission's Proposed Plan will be simple to read and understand is bound to be disappointed. The reduction in the geographic area to be covered in the Proposed Plan will likely mean that fewer basic and overlay designations will be used and this may help simplify the document somewhat. However, it must be understood that the Proposed Plan will be the basis for the Provincial Plan for the

Niagara Escarpment Area which will have significant legal consequences and therefore must be written in a manner which recognizes this fact.

It has been suggested that what is required is a formal document (with all its legal meaning) plus another publication written in simple, straightforward terms which will aid in the understanding of the formal document. This is being considered by the Commission.

Cuesta: The Escarpment rises in places to a height of approximately 245 metres (800 feet), but there are many areas where it disappears underground. Will these visual and non-visual areas of the Escarpment be treated differently in the Proposed Plan?

Taylor: The Escarpment does indeed vary greatly in its form and character between Queenston and Tobermory, from high vertical cliffs to areas where there are no prominent topographic features and no unique cultural and natural characteristics to set it apart from locations on either side.

Between these two extremes there are many thousands of different combinations of topography, cultural and natural features. The tremendous variety of conditions which makes the Escarpment area so interesting poses a complex challenge for the Commission in its preparation of a plan which will do justice to the entire Escarpment and land in its vicinity.

One of the criticisms directed to the Preliminary Proposals is that it did not recognize these vast differences. The Scarp designation, for example, appeared to treat the areas through which it passed in the same way, regardless of whether or not the Escarpment was visually prominent or buried.

A number of municipalities have strongly suggested that the present Scarp and Scarp Protection designations, now forming a continuous band from Queenston to Tobermory, be divided into several parts with a different set of policies for each area. This is somewhat similar to the Scarp/Scarp Link breakdown considered as an alternative by the Commission in 1976. In this situation, stringent preservation policies would apply to the most physically prominent, most environmentally sensitive portions and less stringent policies in the other areas.

I think the Commission is prepared to move in this general direction.

Cuesta: The Preliminary Proposals covered the entire 5,200-square-kilometre (2,000-square-mile) Planning Area assigned to the Commission by the Ontario Government in 1974. The Commission has recently decided that the area to be contained in the Proposed Plan will cover some 2,100 square kilometres (800 square miles) of the Planning Area. Will the new boundaries be clearly defined in the Proposed Plan in terms of which lots will or will not be affected?

Taylor: Yes, the outside boundaries of the area affected by the Proposed Plan must be clearly identified. In most cases, this will probably be accomplished by reference to township lot and concession boundaries; but other fixed features like railways, roads, canals and other clearly defined boundaries may also be used.

Cuesta: By what process and through what consultation procedures has the revised area for the Proposed Plan been decided?

Taylor: From February to June 1978, the Commission met with numerous municipalities, ministries and other public groups to explain the Preliminary Proposals and to secure reactions to them. The reactions varied from attitudes like "get out of town, fast" in situations where provincial intervention — of any kind, save perhaps grants — was considered totally unnecessary, to more constructive comments about how the Proposals could be changed to make them workable.

The comment heard most frequently from one end of the Escarpment to the other was that the Preliminary Proposals covered much more territory than necessary to secure the objectives expressed in the Niagara Escarpment Planning and Development Act.

Based on this strong and almost unanimous expression, the Commission recommended to the Provincial Government that the Proposed Plan be prepared for an area roughly approximating the Development Control Area which covers about half of the 5,200-square-kilometre Planning Area. The Ontario Government accepted this recommendation.

During the summer, the Commission asked each of the 55 municipalities, and other provincial agencies, to comment on the appropriateness of the new area and to make suggestions for expansion or contraction where they felt it necessary. Individual Commission members and staff then met with representatives of the municipalities to discuss the boundaries. Discussions were also held with conservation authorities, provincial ministries, the two Advisory Committees to the Commission and others.

By December 1, 1978, the Commission had received submissions on the new boundaries from most municipalities and provincial agencies. Based on this information, the Commission staff presented their opinions on the new boundaries to the Commission members who, after considerable debate, agreed on a new "envelope area" for the Proposed Plan. Changes in these boundaries may be found necessary before the Proposed Plan is published in the near future.



The former WEST LANDING INN was constructed in the 1820s on the main street of Queenston, at the head of navigation on the Niagara River. The portage route around Niagara Falls passed by the Inn, as did the line of the first railway in Upper Canada. Not only does the Inn have a long association with the history and

development of the Niagara Peninsula, but it remains today as a unique structure of considerable architectural significance. It now serves as a craft shop. (Photo courtesy of the Ministry of Culture and Recreation which undertook a Heritage Resource study for the N.E.C. last summer.)

Cuesta: What is the general consensus, if any, in the numerous submissions received by the Commission in response to its Preliminary Proposals?

Taylor: I understand consensus to mean general agreement. There is a consensus that the Escarpment is an important natural resource which must be protected, although there is a great deal of disagreement on what the Escarpment is. There is a consensus that a plan should be prepared to ensure that the Escarpment is protected; however, there is considerable disagreement on who should prepare the plan and who should implement it. And there is consensus that the area covered by the Preliminary Proposals is too extensive. Beyond these, the range of comments made was so wide, from absolute rejection to unquestioned support, that consensus is hard to find.

Cuesta: Farmers are adamant that their "right" to sever lots for retirement purposes not be interfered with. What are the current regulations concerning this matter and what effect, if any, will the Proposed Plan have in this regard?

Taylor: Undoubtedly many farmers wish to retire to a lot severed from the farm they have sold, but there are probably many others who wish to live somewhere else. I'm concerned that the question you have asked seeks to put all farmers in the same mould. My experience is that there are as many differences between farmers as there are between engineers, economists, mechanics and university professors.

There has been little research carried out to determine what happens to the numerous lots created in the name of retirement. There is some evidence to suggest that a substantial percentage are not used for that purpose at all but are sold to others who often have no interest in the farming community — until the adjoining farmer carries out normal farming operations which interfere with the new owners' peace and quiet.

There are farmers who don't agree with severance activities, for retirement or any other purpose.

Severances are approved by local Land Division Committees and not by the Niagara Escarpment Commission. The Commission receives notice of decisions of these Committees and may appeal the decision to the Ontario Municipal Board if it considers the decision to be inconsistent with its interpretation of the Niagara Escarpment Planning and Development Act. The Commission has not been opposing retirement severances. It has, however, appealed severances that are not for retirement purposes.

The Commission's first draft of the plan (the Preliminary Proposal) proposed that a lot may be created for the farmer's retirement in the agriculturally designated area, in a location which will have minimal interference with the subsequent efficient use of the farm. I believe that the Commission will wish to have relatively similar provisions in the Proposed Plan.

Cuesta: Some landowners in the Escarpment area feel that the Niagara Escarpment Commission should not concern itself with preserving forest and lakeshore areas but should concern itself solely with the Escarpment proper. What is a planner's view of this criticism?

Taylor: There are lakeshore and forest areas which constitute a most important part of the Escarpment Corridor however narrowly or widely perceived.

I believe the criticism was not directed so much to the fact that lakeshore and forest areas were dealt with, but rather that some of these areas were several miles distant and had no apparent connection to what they believed to be the Escarpment. At least part of this objection has been removed with the decision to reduce the size of the area for which the Proposed Plan is being prepared.

The question you have asked underlines a major misunderstanding which has confronted the Commission for a long time. There is a common tendency for many to look at the Escarpment Corridor as a purely physical thing — if there is no prominent geological feature evident, then the Escarpment doesn't exist.

Our interpretation gathered from the Act, the Government Policy Paper of 1973, and the Gertler Report, is much broader. We see it as a geographical area containing the geological Scarp (buried or exposed); associated land features which take the form they do because the geological Scarp existed; ground and surface waters which influence and/or are directly influenced by the Scarp; the forests, other vegetation and natural habitats which have developed the way they have because of their association with the Scarp; and human activity (recent and historic) which has been directly influenced in its location and character by this geological feature.

To convince the public of the need to consider all the elements (cultural and natural) which act in combination to produce this unique and beautiful piece of geography is one of the most important and toughest jobs of the Commission.

Cuesta: The Commission designated a route for Scenic Drives in the Preliminary Proposals. Will the planning staff recommend to the Commission that this route be deleted from the Proposed Plan and, if so, why?

Taylor: Responses to the inclusion of Scenic Drives have varied widely and seem to be evenly divided between those who feel that they should be included and those that don't.

As I have mentioned before in public presentations, the challenge here is how to design and operate a system of Drives which will give public access to the Escarpment Corridor without attracting so many people as to destroy the natural environment we are trying to protect.

The Act requires that public access to the Escarpment be provided. We see the Scenic Drives as providing one method of access — the other two being the Bruce Trail and a system of public parks. If one or more of these are lost then some other methods will have to be secured.

A number of municipalities are concerned about the increased cost of maintenance which could result from additional use of the roads publicly designated. This concern will obviously have to be answered.

Cuesta: Will land values be affected by the Plan and, if so, will compensation be paid where it is claimed that property value (or anticipated value) is lost?

Taylor: Land values in the Escarpment area are constantly changing. Some are increasing and some are declining. Value change of private property is the inevitable consequence of most public decisions be they in income tax policy, immigration, tariff levels, transportation routes, assessment practices, public subsidies, bank rates, many local by-laws, and provincial land use strategies.

And, of course, value changes will occur in response to variations in public attitude, such as popularity of vacation cottages, various forms of recreation, attitudes towards distribution of disposable income, popularity of weekend farms, and numerous other factors.

Many owners understand (not necessarily accept) the fact that *many* public decisions affect the value of their land, but become very irate when they feel that a public decision is directed specifically at them and not to *all* owners in a similar situation. They are more willing to accept "global" effects than those having limited application. This is illustrated, perhaps, by the often heard complaint during the public meetings that the Commission should not be recommending the protection of the best agricultural lands within the Planning Area without the Provincial Government doing the same thing for the rest of Ontario.

Municipal zoning by-laws passed under the provisions of The Planning Act and its predecessor have been influencing value of property and the distribution of value in Ontario for a half century or more. The legislation under which these by-laws are passed does not provide for compensation being paid for reductions in value which might result from the by-laws.

It is my understanding that the courts have consistently interpreted the legislation as permitting public regulation of land use without compensation. Whether this approach is fair or not has been argued for many years in Ontario, other Provinces and in the United States. Many countries of the world have sought to find ways of compensating those whose values are reduced and extracting the value added from those properties which gain as a result of public actions. To my knowledge none have been successful.

In spite of the legislation and experience in other countries, many persons in the Planning Area are obviously very concerned about possible reduction in value (whatever it might be) which may have resulted from being included in the Niagara Escarpment Plan. The concern is not limited, by any means, to corporations which have acquired land with development prospects specifically in mind.

The Commission is aware of this concern and will seek to develop policies which, for the largest possible number of residents, will result in increases in value or maintenance of current values rather than decreases.

Cuesta: Some critics feel that existing lots must be recognized and allowed to be developed, and, if not, the Ontario Government should buy them. In view of the Government's fiscal restraint policy, will the Commission's Proposed Plan make recommendations that the Province consider buying lots which could have been developed except for the Plan?

Taylor: The recommendations contained in the Preliminary Proposals generally provided that existing vacant lots of record, meeting certain requirements, could be developed. This approach is very controversial in view of the large number of lots involved and the consequences of their being built upon, in reaching the goal of maintaining a natural environment for the Escarpment.

The impact could be particularly significant within or close to the Scarp and Scarp Protection Area designations in the Preliminary Proposals. The Commission appreciated this in the Preliminary Proposals and proposed that, on application from the owners, the Province could purchase existing lots of record in the Scarp Area where non-farm residential development was not permitted by the Plan.

The validity of this approach has been questioned in our public meetings where the comment has been made that the Province doesn't have funds to acquire those lots and furthermore that the Province doesn't want to acquire scattered lots all over the map.

Of course, the provisions for acquisition which are ultimately approved by Cabinet as part of the Proposed Plan will determine the approach. Whatever acquisition is approved will have funds provided for it, as it will then be Provincial Policy.

The studies recently completed by the Commission staff to up-date information on the number, distribution and character of existing vacant lots will permit the Commission members to reassess the appropriateness of the recommendations contained in the Preliminary Proposals.

Cuesta: Is there any precedent that you are aware of in North America for preparing a plan of such magnitude to protect "a natural environment"?

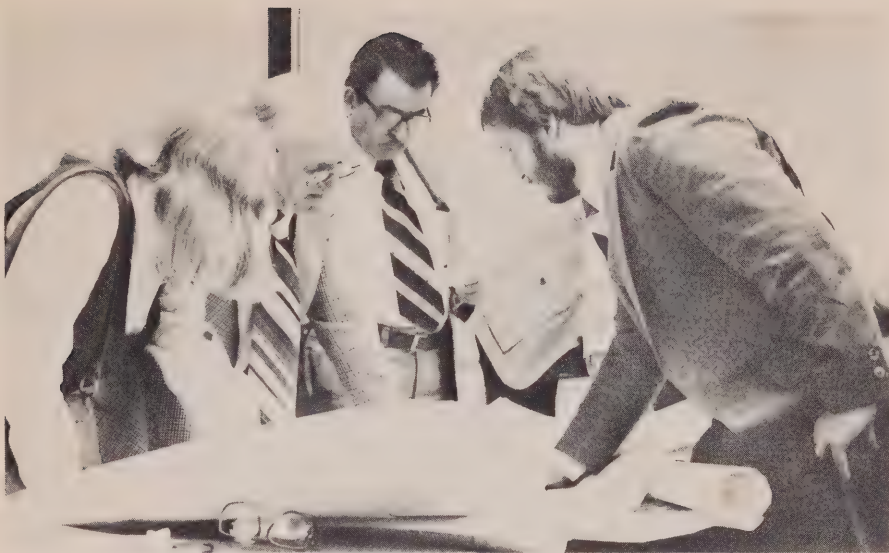
Taylor: The only ones that come to mind as being somewhat similar in terms of size and objectives would be the CORTS study dealing with the Rideau-Trent-Severn River system and perhaps the U.S. studies of the Appalachian Region and the Grand Canyon. But all of these are so different, in so many ways, that they are unfortunately not of particular help to the Commission in preparing its proposals for the Escarpment.

The fact that there are no precedents to guide the Commission has been a large factor in the time taken in preparing the Preliminary Proposals.

Cuesta: The maps accompanying the Preliminary Proposals were based in part on information supplied by various government agencies. What has been done by the Commission's planning staff to update this information and will maps be produced to accompany the Proposed Plan?

Taylor: Early in the life of the Commission it was decided that, where possible, existing public agencies would be used to collect the information required rather than do it ourselves. As a result, most of the data on cultural and natural features was provided by other agencies, notably the Ministries of Natural Resources, Culture and Recreation, Agriculture and Food, and Environment.

While the basic information was provided by these agencies, the method of use, interpretation and priority setting was done by the Commission.



Commission staff planners and Commission members review new envelope area boundaries for the forthcoming Proposed Plan.

Errors in the information and in its interpretation were pointed out during our public meetings. Each of the agencies providing the information has been requested to update and confirm their information through further field investigation and other research.

The Act requires that all material used in the preparation of the Proposed Plan shall be available for public review during the period following its publication.

Whether this background information shall be printed as part of the plan, a separate document, or available for inspection at readily accessible locations has not been decided at this point. It will be available, however.

Cuesta: After the release of the Preliminary Proposals in February 1978, there was strong reaction and hostility voiced by several ratepayer groups and others along the Escarpment. There also appeared to be a considerable amount of misinformation. Would you elaborate on some of these misconceptions?

Taylor: There were (are) many misconceptions evident during our meetings. The following are a few that I recall:

1. **That development control was a "freeze" on the use of land.**

Nothing could be further from the truth. Much development, particularly of an agricultural nature, does not require Commission approval to proceed. Of the 3,500 applications submitted to the Commission approximately 90 per cent have been approved. The Commission is often criticized for having approved too many applications.

2. **The Commission would not listen to suggestions received. It had already decided on what the Plan was to be.**

The decision of the Commission to greatly reduce the area for which the Proposed Plan is being prepared, the modification of development control regulations, a decision not to recommend expropriation as a means of securing land and a number of

other decisions *were* made on the basis of comments received during the public meetings following release of the Preliminary Proposals. I fully expect that many other changes will be made which result directly from the consultation process.

3. **That there was inadequate opportunity for the public to respond to proposals made by the Commission and to make their views known.**

There are at least three, and possibly four, formal points in the process of developing the plan when there is an opportunity for public input. The fact that the legislation requires these opportunities is one of the reasons why the plan is taking so long to complete.

4. **That the Preliminary Proposals were prepared by persons who had no direct association with the area being planned.**

Nearly all the Commission members live in the Planning Area and the majority are, or have been, elected to office in the municipalities in the Planning Area. Representatives on the two Advisory Committees to the Commission either live in the Planning Area, represent municipalities in the Area or are representatives of groups having many members living within the Area.

5. **The Bruce Trail would be taken over without compensation and the owner would have no opportunity to negotiate as to the location of the Trail on the property.**

This is *not* what the Preliminary Proposals said at all. If acquisition is necessary compensation *will* be paid and the specific route will be determined only after full consultation with the owner.

6. **Existing buildings will have to be removed and those destroyed by fire, wind, etc. cannot be rebuilt.**

This is not so. The Proposals and development control regulations permit buildings to be replaced when situated on the same site as destroyed buildings. If relocation or a larger building is desired by the owner, a development permit would be required.

Two Advisory Committees Assist Commission

Tapping the 'Grass Roots'

The two Advisory Committees to the Niagara Escarpment Commission continue to play a major role in developing an Escarpment plan by assisting the Commission in generating new concepts and alternative proposals, in addition to redrafting policies to be contained in the forthcoming Proposed Plan.

A wide range of 'grass roots' opinions and attitudes are evident in the make-up of the two committees comprised of hunters, hikers, conservationists, developers, aggregate producers, farmers, planners and politicians.

The Regional and County Advisory Committee and the Interest Groups Advisory Committee were established just over two years ago as required under the Niagara Escarpment Planning and Development Act.

Both committees established by the Government of Ontario are required to advise and make recommendations to the Provincial Secretary for Resources Development, through the Commission, on the preparation and implementation of the Niagara Escarpment Plan as it evolves.

Both committees have been asked to continue consultations with the Commission and prepare options for the Proposed Plan; to comment on the plan during the statutory review period; and to make further submissions and possibly appear before the hearing officers during the public hearing process.

In the preparation of the Preliminary Proposals, which were released last year, the Interest Groups Advisory Committee made 70 recommendations and 20 general observations, while the Regional and County Advisory Committee made 174 recom-

mendations and had 13 general comments for the Commission members to consider. Further suggestions, recommendations and proposals from the two committees are still being studied by the Commission, several of which will likely be used in the Proposed Plan.

The Interest Groups Advisory Committee has representatives of many voluntary and professional organizations with an interest in the Escarpment. The exchange of information between these representatives and the many interested organizations in the province has been difficult to carry out. The Advisory Committee has been attempting to improve on this, and has embarked on a program to receive representations from any interested group concerned with the planning of the Escarpment area. Those interested may contact the committee through Walter Gowing, Advisory Committee's Co-ordinator at the Commission's head office in Georgetown.

The Regional and County Advisory Committee is currently developing alternative proposals for the Proposed Plan and has recommended that the Commission establish two zones within the revised area for which the Proposed Plan is being prepared — an Escarpment zone and a protection zone.

Louis Parsons, chairman of the Regional Municipality of Peel, heads up the 19-member Regional and County Advisory Committee, comprised mainly of planners and elected municipal officials.

William Powell, chairman of the Hamilton Region Conservation Authority, chairs the 13-member Interest Groups Advisory Committee.



INTEREST GROUPS ADVISORY COMMITTEE — Eric Kennedy (centre) of the Bruce Trail Association, discusses the Commission's new envelope area in the Niagara Region with David Sterrett (left) of the Aggregate Producers' Association and Warren Wiley (right) of the Ontario Federation of Agriculture.

Advisory Committee Members

Regional and County Advisory Committee

- Regional Municipality of Niagara
John E. Campbell, Chairman
Alan Veale, Planning Director
- Regional Municipality of Hamilton-Wentworth
Anne Jones, Chairman
Douglas Lychak, Planning Commissioner
- Regional Municipality of Halton
Jack Raftis, Chairman
Edward R. Cumming, Regional Planning Director
- Regional Municipality of Peel
Louis H. Parsons, Chairman
Peter E. Allen, Planning Commissioner
- County of Dufferin
Gordon Oldfield, Reeve of Melancthon Township
Connie Broderick, Chairman,
Land Division Committee
- County of Simcoe
Orville Hughes
William Cooper,
Associate Agricultural Representative
- County of Grey
Lorne Lemon
Robert List, West Grey Planning Director
Ross Arthur, East Grey Planning Director
- City of Owen Sound
R. E. Rutherford, Mayor
J. Kent Murray, Planning Director
- County of Bruce
Milton Hayes, Reeve of Lindsay Township
Donald Scott, Planning Director,
Bruce Peninsula Planning Board

Interest Groups Advisory Committee

- **Warren Wiley**, St. Catharines,
Ontario Federation of Agriculture
- **David J. Sterrett**, Brantford,
Aggregate Producers' Association of Ontario
- **William Powell**, Hamilton, Chairman's
Committee, Conservation Authorities of Ontario
- **Philip R. Gosling**, Guelph,
Conservation Council of Ontario
- **Professor Kirk Wipper**, Toronto,
Ontario Camping Association
- **Lloyd Thompson**, Orangeville, Niagara and
Mid-Western Ontario Travel Association
- **Douglas McLay**, Stokes Bay,
Georgian-Lakelands Travel Association
- **Hilde Morden**, Rodney,
Federated Women's Institutes of Ontario
- **Eric Kennedy**, Islington,
The Bruce Trail Association
- **William Sinclair**, Hamilton,
The Urban Development Institute
- **William Bell**, London,
Ontario Federation of Anglers and Hunters, Inc.
- **Gordon Mewhiney**, Toronto,
Federation of Ontario Cottagers' Associations
- **Howard Awrey**, Hillsburgh,
Ontario Real Estate Association

Donations and Know How:

The Nature Conservancy of Canada Dedicated to Saving Natural Areas

No one gives them much publicity.

And they don't really want it.

But, since 1964, the Nature Conservancy of Canada has been quietly helping to preserve natural areas throughout Canada, not merely with goodwill and talk, but with expertise and money.

The Conservancy is a non-profit conservation organization. Its self-imposed mission is to search for lands which it believes deserve to be preserved as natural areas and to solicit grants and donations from individuals, foundations and corporations to assist with the purchase of these lands for public use.

The Niagara Escarpment Project

Seven years ago the Conservancy launched "The Niagara Escarpment Project," a plan to raise funds to help local Conservation Authorities acquire key natural areas along the Escarpment — and the project has been remarkably successful.

Conservation Authorities in Ontario (there are 38 — eight of which have lands in the Escarpment Planning Area) wishing to purchase properties can apply for a grant to the Ontario Ministry of Natural Resources to offset part of the cost of each property. The Conservation Authorities are expected to raise the balance of funds; however, inflation and budget restrictions have, in many instances, prevented them from doing so.

In 1972 the Nature Conservancy of Canada set about to rectify this situation as it pertained to the Niagara Escarpment area and affirmative responses, in the form of committed funding, were soon forthcoming.

Contributors included the Canadian National Sportsmen's Shows, the Ford Foundation and, particularly, the Richard Ivey Foundation — the latter coming forward with a generous \$1,000,000 grant. This gift alone meant that about three to four million dollars could be earmarked for environmentally sensitive Escarpment land based on the premise that the Province would continue to allocate grants of up to 75 per cent.

While the Toronto-based Nature Conservancy of Canada employs only seven full-time staff members, and relies solely on public funding, its record in the field of conservation is impressive.

Since 1972 the Conservancy contributed toward the purchase of 1,650 hectares (4,083 acres) along the Escarpment through the Credit Valley Conservation Authority; the North Grey Region Conservation Authority; the Sauble Valley Conservation Authority; the Saugeen Valley Conservation Authority; the Niagara Peninsula Conservation Authority; the Hamilton Region Conservation Authority and the Halton Region Conservation Authority.

Additional properties are currently being negotiated with these

authorities, while plans are also underway for the Conservancy to work with the Metropolitan Toronto and Region Conservation Authority and the Nottawasaga Valley Conservation Authority.

Over the past seven years the Conservancy has helped to purchase strategic Escarpment properties in the Rockway conservation area; the Dundas Valley conservation area; the Rankin Resources Management Area; the Hilton Falls and Crawford Lake conservation areas; the Silver Creek conservation area; the Beavertdale Wetlands; the Bognor Wetlands; the Keppel conservation area and the Wodehouse Creek conservation area.

How Funds are Spent

Here's what happens with the donations or grants received by the Conservancy as they pertain to the "Niagara Escarpment Project."

In some instances, a landowner who does not wish to sell his land or see it subdivided may literally donate or will the property to the Conservancy. These donors seldom, if ever, seek recognition or publicity.

However, the most common process for acquiring Escarpment lands and other natural areas across Canada usually starts with an awareness by the Conservancy of a specific piece of land as a candidate for conservation.

A site inspection by the Conservancy's projects director and an official of the local conser-

vation authority will then follow to determine if the property is ecologically and environmentally significant.

The Conservancy must be assured that the land has a future, that is, whether or not it can be preserved by itself or as part of a larger land assembly, or whether additional land must be purchased to provide a protective buffer zone around ecologically delicate areas, such as marshes and wetlands.

The Nature Conservancy of Canada and the conservation authorities will then proceed to work on a supporting brief which will be presented in due course to various prospective funding organizations.

If the decision is favourable, the Conservancy will so advise the conservation authority and will send it the required funds upon receipt of the certificate of title to the property. In the meantime, the Conservation Authority will apply to the Ministry for a grant for the balance of the funds.

The driving force behind the Conservancy's "Niagara Escarpment Project" land transactions is Charles Sauriol, the Conservancy's projects director for the past 11 years. Prior to that he spent 14 years with the Metropolitan Toronto and Region Conservation Authority and was the chairman of the Conservation Areas Advisory Board.

"As for the Escarpment," said Mr. Sauriol, "the Conservancy intends to pursue a well-defined course in the purchase of future lands.

"In essence, the Conservancy and its sponsors are assisting Escarpment area Conservation Authorities to establish a series of conservation nodes along the Escarpment, of intrinsic value for both recreation and conservation."

The Nature Conservancy of Canada has provided funds, through the generosity of their supporters, for the purchase of properties from Cape Breton, N.S., to Vancouver Island, which include wildlife marshes, waterfowl habitats, beaver ponds, environmental walkways, cross-country ski trails, bird watching areas, wooded ravines, heronries, wildflower sanctuaries, waterfalls, gorges and picnic areas.



J. P. JOHNSTONE, JR.
1920-1978

Niagara Escarpment Commission members and staff were deeply saddened by the death of Commission member J. P. Johnstone Jr., on April 20, 1978.

Mr. Johnstone, 57, was appointed to the Commission in October 1973, and was the representative for Bruce County. He was the reeve of St. Edmunds Township for 12 years, chairman of the Bruce Peninsula Planning Board, and a former warden for Bruce County.

Commission Chairman Ivor McMullin stated: "There couldn't have been a more dedicated, valued and popular member of the Commission. He loved the Bruce Peninsula and always worked very hard on its behalf."

During the Second World War, Mr. Johnstone served overseas with the Royal Canadian Artillery. He later resided in the Tobermory area where he raised cattle and operated a lumber company and a tourist resort.

He was a former director of the Bruce Trail Association and was a past president of both the Grey-Bruce Tourist Council and the Tobermory Branch of the Royal Canadian Legion.

Development Control

Monitoring Land Use in the Escarpment's Environmentally Sensitive Area

In June, 1975, the Niagara Escarpment Commission was directed by the Province of Ontario to regulate land development within what is considered to be the varied, unique and environmentally-sensitive central portion of the 725-kilometre-long Escarpment.

Rather than "freeze" all development while the Commission prepared a land use plan for the Niagara Escarpment area, a relatively new and flexible approach to land-use management called development control was introduced.

Anyone proposing to develop land within the Development Control Area must apply to the Commission for a development permit, unless the proposed development was specifically exempted by Ontario Regulation 435/75 or subsequent amendments.

The Development Control Area, as defined by regulations, covers slightly less than half of the 5,200-square-kilometre Escarpment Planning Area.

A development permit is required before a building or other similar permits will be issued by the local municipality. For example, a development permit is required to:

- erect a house, cottage, industrial, commercial or institutional building;
- excavate a foundation;
- construct a new roadway or driveway;
- open a wayside pit;
- establish a trailer park.

Past Experience

In assessing three and a half years of development control, Commission Chairman Ivor McMullin stated: "We have found that it has worked quite well, and in general the regions and counties have reacted favourably to this approach.

"However, regulating development has been extremely difficult for the Commission members since we have not had a finalized plan on which to base our decisions. The full advantages of development control can only be achieved if it is backed up by an approved planning document," the Chairman said.

"We judge every application for development on its own particular merit and with the objectives of the Niagara Escarpment Planning and Development Act. We review with the local municipality and other agencies what effect each development is likely to have on their interests.

"Whether or not the development control process will be continued as a device for implementing the Plan, to be adopted by Cabinet, remains to be seen. From our experience so far, there are good reasons for it.

"It is also too early to predict whether or not responsibility for regulating development will rest with the regional municipalities, counties or a provincial agency yet to be designated, or a combination of both, when the plan is finally approved," said Mr. McMullin.

Evaluation

According to the Commission's staff manager of development control, Keith Jordan, "The development control process allows each proposal for land development in unique ecological and environmentally sensitive areas to be evaluated in a way that wouldn't generally be allowed under the normal Planning Act approval mechanisms."

Mr. Jordan agrees that it has been difficult for the Commission members to regulate development without an approved plan. "Their job has not been easy," he said.

"Many people originally perceived that all development on the Escarpment has been 'frozen.' But, the fact is that 90 per cent of the 3,500 applications received to date have been approved either by the Commission or on appeal to the Minister of Housing.

"Many people feel that the Commission is granting too many approvals for development," said Mr. Jordan, "but they forget that it is specifically designed as a flexible approach whereby the Commission can (and does) regulate the proposed developments by attaching terms and conditions to a development permit such as land use, landscaping, lot size, building location, siting, grading, tree cover, preservation of existing vegetation, etc."

Mr. Jordan added: "With these conditions many applications can be reshaped to satisfy the objectives of the Act as interpreted by

the Commission. In most cases Commission staff planners and landscape architects will conduct an on-site inspection of the property and review with the applicant the proposed development. The Commission staff will also provide their professional advice to the applicant, if requested, so that the applicant can submit a proposal which may satisfy the Commission's broad mandate 'to ensure only such development occurs as is compatible with preserving a natural environment,' until the plan is approved."

Mr. Jordan notes that development control has certainly increased public awareness of the fact that development in the Escarpment area must be carried out with special attention to the environment.

However, control of land severances within the Escarpment Planning Area is administered by local Land Division Committees or Committees of Adjustment. Also, control over the creation of subdivisions is administered by the Ministry of Housing or regional municipalities which have been delegated the authority.

While it is not the approving authority, the Commission is a commenting agency on proposals for severances or the creation of subdivisions. "We find that the Ontario Municipal Board will not make a decision on a land severance appeal until it knows whether the Commission would be prepared to issue a development permit," Mr. Jordan said.

Existing Lots

The majority of development permit applications are for single family houses on lots which have already been created.

Commission Chairman Ivor McMullin said, "Most Commission members are of the opinion that, with some exceptions, development on existing lots should be permitted wherever possible.

"However, exceptions to this general philosophy on existing lots occur when the proposal does not meet with normal municipal or provincial standards. Other major exceptions may include lots situated right on the Scarp or the narrow area called Scarp Protection on either side; under-sized lots; lots located on flood plains or



Perhaps the most characteristic form of industrial activity on the Escarpment was the lime mortar industry, which was vital to the growth of Ontario's towns. Shown here is one of the three CHRISTIE LIME KILNS located in the Kelso Conservation Area in the Regional Municipality of Halton. First established in 1880, they ceased operations in 1929. They are today an important local landmark, being the most complete kilns remaining on the Escarpment and representing the importance of the Escarpment to Ontario's industrial heritage. (Photo courtesy of the Ministry of Culture and Recreation.)

other hazard lands; and lots not fronting on a public road."

When a decision has been made on the application, the procedure calls for notification of all assessed owners of land within 120 metres (400 feet) of the proposed development. Recipients of such a notice, and the applicant, may appeal the decision to the Minister of Housing. If no one appeals within 14 days the decision is confirmed.

If, however, one or more appeals are filed, the Minister will appoint a hearing officer to conduct a hearing into the matter. The hearing officer will submit a report to the Minister which will contain a summary of the representations made at the hearing and his opinion on the merits of the original decision. The Minister then makes his decision.

"The development permit/hearing officer appeal system," Mr. Jordan said, "has the advantage of being a much quicker process for the applicant than the traditional rezoning/Ontario Municipal Board appeal system."

N.E.C. Offices

In addition to the Commission's main office in Georgetown, two field offices are located in Grimsby and Clarksburg, to serve the public in the administration of development control in the southern and northern sections of the Escarpment respectively.

The Clarksburg office, 11-13 Marsh Street, telephone (519) 599-3340, is responsible for development control applications for Bruce, Grey and Simcoe Counties.

The Grimsby Office, 166 Main Street West, telephone (416) 945-9235, is responsible for development control for the Regional Municipalities of Hamilton-Wentworth and Niagara.

The Commission's head office at 232 Guelph Street, Georgetown, telephone (416) 877-5191, processes development control applications for the Regional Municipalities of Halton and Peel and Dufferin County.

Development permit applications are also available at municipal offices within the planning area. There is no fee for obtaining a development permit.

NEC Information?

Want more information on the Niagara Escarpment or on the work of the Commission?

Visit our permanent drop-in centre at the Commission's head office at 232 Guelph Street (Highway #7) in Georgetown.

Detailed maps and an assortment of background reports are available for public inspection. An information officer and a staff planner area on hand to answer queries.

Drop-in centres are also located at our sub-offices in Clarksburg and Grimsby.

As part of the on-going communications function, the Commission's 22 minute film called "The Giant's Rib" is available upon re-

quest to service clubs, schools, societies and other large organizations.

We also have, at our Georgetown office, a 7-metre-long topographical contour model of the entire Escarpment area, available for display purposes at seminars and other large public meetings.

Over the past year the Commission's Information Office has been deluged with requests for information from the media, students, land-owners and interested citizens.

So, if we can be of any assistance to you or your organization, drop in, write or give us a call at (416) 877-5191, local 44 or 45.

Update Summary on Land Use Information

Studies, reports, data, statistics — if it concerns the Niagara Escarpment — we've got it. And it's available to the public for inspection.

The Commission has now compiled a wealth of information on historical areas, soil capabilities, hazard lands, hydrology, geology, scenic resources, population studies, fisheries, flora and fauna.

Commission staff planners have also completed an updated 1978 inventory on existing land use, land fragmentation, public ownership, official plans and zoning by-laws.

The Existing Land Use study consists of the latest information available on agricultural lands (improved, unimproved, unused or abandoned); forest lands; plantation lands; wetlands; pits and quarries; major recreational areas; built-up areas (rural and urban); and rural development (residential, commercial and industrial).

The Land Fragmentation report

includes the number and distribution of existing vacant and development lots in the area for which the Proposed Plan is being prepared. These lots have been created over the years for the most part either by consent or plans of subdivision. The existence of thousands of such undeveloped privately owned lots in the Escarpment area is one of the major problems facing the Commission in its efforts to prepare a plan which will "maintain the Escarpment and land in its vicinity substantially as a continuous natural environment" as required under the legislation.

The Land Fragmentation report shows lot boundaries, sizes and locations, and is based on information gathered from municipal office assessment records and consent and subdivision files.

The inventory of Public Ownership, based on information provided by municipal, provincial and federal authorities, includes lands

owned by the Ministry of Natural Resources, conservation authorities, the federal and Ontario governments and municipalities. This information of publicly owned lands is shown on maps and will help the Commission to make proposals on future land acquisitions and land-use policy in the Escarpment area.

The Official Plans and Zoning By-law Inventories are primarily summaries of local official plan designations and policies; and local by-law zones and regulations affecting the area for which the Escarpment Plan is being prepared. All official plans and by-laws approved by the Minister of Housing and the Ontario Municipal Board, in addition to those adopted by municipal councils, are included in these reports.

These various information studies are available to municipalities and the general public for inspection and, in some cases, for reproduction.

450 Million Year History:

A Geological Treasure House Accessible to the Public

Experts tell us that the Niagara Escarpment has origins dating back in geological history some 430-450 million years — a time when the Escarpment area lay submerged beneath a warm shallow sea.

As occurs with present day water bodies such as Hudson Bay or the Gulf of Mexico, rivers flowing into this ancient sea carried sand, silt and clay which were deposited as thick layers of sediment. At the same time, lime-rich organic material from the abundant sea life was also accumulating. Over millions of years these materials became compressed into massive layers of sedimentary rocks and ancient reef structures now visible along the Escarpment. Some rock layers now consist of soft shales and sandstones while others are made up of dolostone (a rock similar to limestone which contains magnesium and is more durable).

Today, fossil remains illustrating the various life forms can be found in many of the rocks as they are slowly exposed by the action of wind, water and ice. The Niagara Escarpment is a geologist's paradise and contains some of the best exposures of rocks and fossils of the Paleozoic era (from 405-500 million years ago) found anywhere in the world.

As a landform, the Escarpment began to form only after the ancient sea withdrew some 300 million years ago.

Over succeeding millions of years, erosive agents slowly removed the softer shales underlying the more resistant dolostone layers.

As the softer underlying material was eroded away, large blocks of the resistant dolostone caprock broke off creating the vertical face of the present day Escarpment.



Quarrying operations in Albermarle Township, Bruce County.

Though of preglacial origin, the Escarpment face has been dramatically altered by successive advances of Pleistocene ice sheets over the last one to two million years.

The erosive power of the glaciers can be observed in several places — such as the widening and deepening of the Beaver Valley or the numerous rock fragments and boulders carried miles from the Escarpment and deposited in massive moraines.

This mass of material deposited by the ice and ensuing meltwater, covering the rocks as much as several hundred feet in places, was even more important in modifying the appearance of the Escarpment. Glaciation, therefore, has made it very difficult for an observer to determine the exact location of the Escarpment in areas such as Mono Township and Caledon — a factor which has caused considerable debate between landowners and the Commission members as to what lands in the area constitute the Escarpment!

Weathering and erosive forces which initially carved the Niagara Escarpment are the same ones still occurring today. These include running water, waves, frost action, ice and wind.

Running water and waves have created the most dramatic results. The effect of the wave action is well illustrated along the shores of Georgian Bay in the Bruce Peninsula, while the erosive force of running water is best seen in the Niagara Gorge, which has been carved by the Niagara River over approximately the last 13,000 years following glaciation.

Erosion at the headwaters of the numerous streams rising on the Escarpment is largely responsible for the many indentations and irregular appearance of the Escarpment face. Outliers, or segments of the Escarpment, separated from the main face such as at Milton or Glen Williams are also the result of stream erosion.

Less obvious, but important, is the chemical weathering process whereby the porous dolostones are dissolved, creating karst features such as sink holes and caves and leading to numerous springs along the base of the Escarpment. Good examples of sink holes can be found on the west side of the Beaver Valley near Wodehouse, and at St. Edmunds Cave at the top of the Bruce Peninsula.

Also, frost action is continually loosening large blocks of rock from the face creating a talus slope.

The Niagara Escarpment thus continues to slowly change by the same process that led to its creation.



Webster Falls, Hamilton-Wentworth Region.

Other places along the Escarpment containing interesting, prominent geological features accessible to the public (and of high scenic value) are found at:

- Ball's Falls conservation area near Vineland in the Niagara Peninsula
- Decew Falls owned by Ontario Hydro near St. Catharines
- Devil's Punch Bowl conservation area near Stoney Creek
- Webster's Falls and Tew's Falls in the Spencer Gorge conservation area north of Dundas
- Mount Nemo, north of Burlington
- Hilton Falls conservation area near Milton
- historic Cataract Falls north of the Forks of the Credit River, near Caledon
- Mono Cliffs provincial park north of Mono Centre
- Devil's Glen provincial park east of Singhampton
- the Blue Mountain caves near Collingwood
- "Old Baldy" near Kimberley in Grey County
- Eugenia Falls conservation area in the Beaver Valley, north of Flesherton
- Inglis Falls conservation area south of Owen Sound
- Pottawatomi (Jones' Falls) conservation area west of Owen Sound
- Indian Falls conservation area north of Owen Sound
- Cyprus Lake provincial park near Tobermory
- Lion's Head and Cabot Head on the Bruce Peninsula
- Rocky Bay and Cave Point (with sea caves) accessible only by boat between Cabot Head and Tobermory.



Octagonal barn, near Cataract in Caledon township, Peel Region.

NIAGARA ESCARPMENT - GEOLOGICAL FEATURES

